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NEW SERIES

No. 49

PUBLISHED ANNUALLY

BY THE

PENNSYLVANIA PRISON SOCIETY

INSTITUTED MAY 8, 1787

THE JOURNAL
OF
PRISON DISCIPLINE
AND
PHILANTHROPY

JANUARY, 1910

OFFICE: STATE HOUSE ROW

S. W. CORNER FIFTH AND CHESTNUT STREETS

PHILADELPHIA, PA.

OFFICIAL VISITORS.

No person who is not an official visitor of the prison, or who has not a written permission, according to such rules as the Inspectors may adopt as aforesaid, shall be allowed to visit the same; the official visitors are: the Governor, the Speaker and members of the Senate; the Speaker and members of the House of Representatives; the Secretary of the Commonwealth; the Judges of the Supreme Court; the Attorney-General and his Deputies; the President and Associate Judges of all the courts in the State; the Mayor and Recorders of the cities of Philadelphia, Lancaster, and Pittsburg; Commissioners and Sheriffs of the several Counties; and the "Acting Committee of the Philadelphia Society for Alleviating the Miseries of Public Prisons." (Note: Now named "The Pennsylvania Prison Society.")—*Section 7, Act of April 23, 1829.*

The above was supplemented by the following Act, approved March 20, 1903:

AN ACT.

To make active or visiting committees of societies incorporated for the purpose of visiting and instructing prisoners official visitors of penal and reformatory institutions.

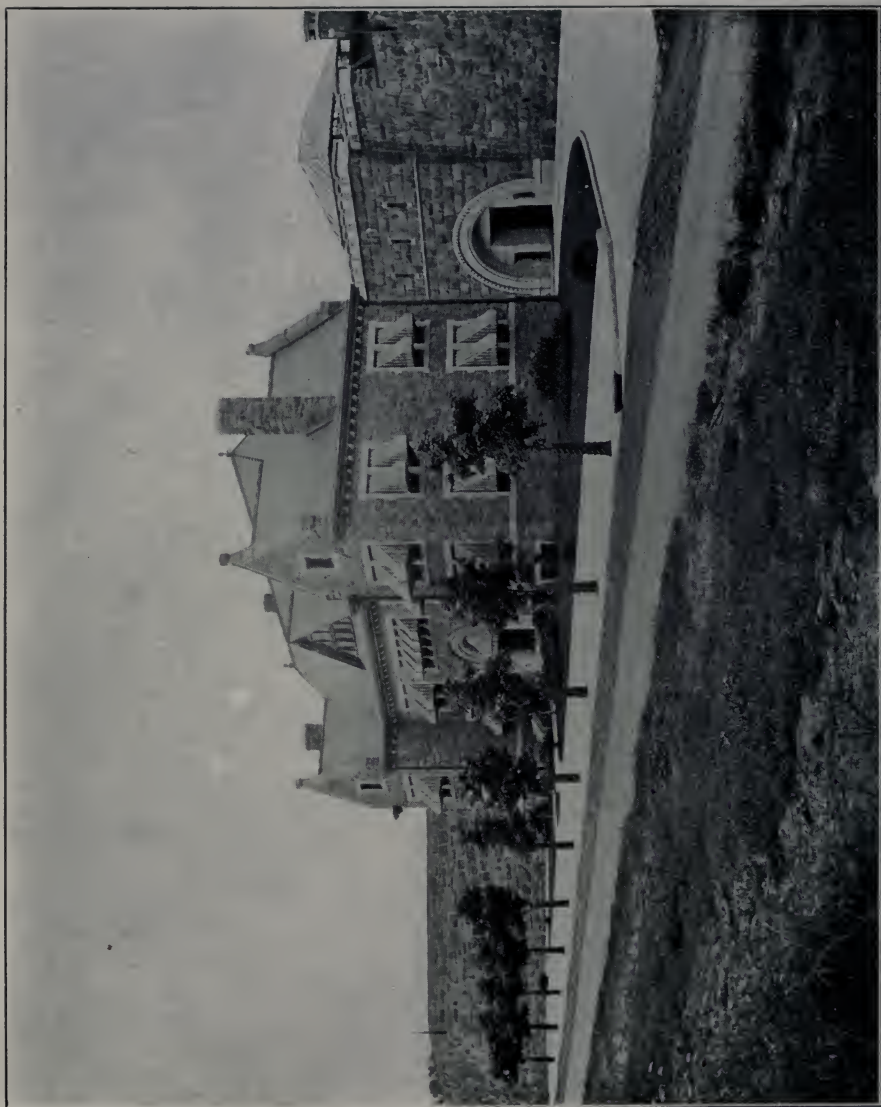
SECTION 1. Be it enacted, etc., That the active or visiting committee of any society heretofore incorporated and now existing in the Commonwealth for the purpose of visiting and instructing prisoners, or persons confined in any penal or reformatory institution, and alleviating their miseries, shall be and are hereby made official visitors of any jail, penitentiary, or other penal or reformatory institution in this Commonwealth, maintained at the public expense, with the same powers, privileges, and functions as are vested in the official visitors of prisons and penitentiaries, as now prescribed by law: Provided, That no active or visiting committee of any such society shall be entitled to visit such jails or penal institutions, under this act, unless notice of the names of the members of such committee, and the terms of their appointment, is given by such society, in writing, under its corporate seal, to the warden, superintendent or other officer in charge of such jail, or other officer in charge of any such jail or other penal institution.

Approved—The 20th day of March, A. D. 1903.

SAML. W. PENNYPACKER.

The foregoing is a true and correct copy of the Act of the General Assembly No. 48.

FRANK M. FULLER,
Secretary of the Commonwealth.



ENTRANCE TO CONVICT DEPARTMENT, PHILADELPHIA COUNTY PRISON.

THE JOURNAL
OF
PRISON DISCIPLINE
AND
PHILANTHROPY

PUBLISHED ANNUALLY

UNDER THE DIRECTION OF "THE PENNSYLVANIA PRISON SOCIETY"

INSTITUTED MAY 8TH, 1787

JANUARY, 1910

OFFICE: STATE HOUSE ROW
S. W. CORNER FIFTH AND CHESTNUT STREETS
PHILADELPHIA, PA.

THE PENNSYLVANIA PRISON SOCIETY

(FORMERLY CALLED "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS.")

ABSTRACT OF THE PROCEEDINGS OF THE ANNUAL MEETING

The 123d Annual Meeting of "THE PENNSYLVANIA PRISON SOCIETY" was held January 20, 1910, at the office of the Society at the S. W. Corner of Fifth and Chestnut Streets, Philadelphia.

The meeting was called to order by the President, JOSHUA L. BAILY.

The Minutes of the 122d Annual Meeting were read and approved.

There were present at the meeting 24 members.

The Treasurer, JOHN WAY, presented a report, which was satisfactory. (See page 9.)

GEORGE S. WETHERELL, on behalf of the Committee appointed at a Quarterly Meeting of the Society, held October 30, 1909, to have the recently adopted Constitution printed, reported that 500 copies of the Constitution of the Society and the By-Laws of the Acting Committee had been printed and were ready for distribution.

DR. WILLIAM C. STOKES, on behalf of the Committee appointed at the last Annual Meeting, presented the nominations for the officers of the Society and for the Acting Committee. On motion, the election was ordered, and the President appointed as Tellers, JOSEPH C. NOBLIT, ANDREW J. WRIGHT and WILLIAM E. TATUM. The election was proceeded with, and having been concluded, the tellers reported that all the votes had been cast for the individuals who had been nominated, whereupon the President announced that they had been duly elected to the respective offices. (See page 3.)

On the Committee to Nominate Officers of the Society for 1911, and Members of the Acting Committee whose terms have expired, the President appointed JOHN J. LYTLE, ELIAS H. WHITE, SAMUEL BIDDLE, MARY S. WHELEN and MRS. HORACE FASSITT.

In a few remarks, the President referred to the long and interesting career of the Society, believed to be the oldest Prison Society in the world, and also to the many prominent and worthy citizens who had been connected with the organization.

ALBERT H. VOTAW, *Secretary*.

OFFICERS OF THE SOCIETY FOR 1910

PRESIDENT

JOSHUA L. BAILY, 30 S. Fifteenth Street, Philadelphia.

VICE-PRESIDENTS

REV. HERMAN L. DUHRING, D. D., 225 S. Third Street, Philadelphia.

REV. F. H. SENFT, 560 N. Twentieth Street, Philadelphia.

TREASURER

JOHN WAY, 409 Chestnut Street, Philadelphia.

HONORARY SECRETARY

JOHN J. LYTLE, Moorestown, N. J.

SECRETARY

ALBERT H. VOTAW, 500 Chestnut Street, Philadelphia.

COUNSELORS

HON. WM. N. ASHMAN, Forty-fourth and Spruce Streets, Philadelphia.

HENRY S. CATTELL, ESQ., 1218 Chestnut Street, Philadelphia.

GENERAL AGENT.

FRED. J. POOLEY, 500 Chestnut Street, Philadelphia.

THE ACTING COMMITTEE

FOR THREE YEARS

John J. Lytle	Moorestown, N. J.
P. H. Spellissy	120 S. Eighteenth Street, Philadelphia.
*John H. Dillingham	140 N. Sixteenth Street, Philadelphia.
Fred J. Pooley	500 Chestnut Street, Philadelphia.
William Scattergood	West Chester, Pa.
Mrs. P. W. Lawrence	1338 N. Thirteenth Street, Philadelphia.
Mary S. Whelen	1520 Walnut Street, Philadelphia.
William Koelle	3037 Berks Street, Philadelphia.
Rev. R. Heber Barnes	600 N. Thirty-second Street, Philadelphia.
Dr. William C. Stokes	2003 Arch Street, Philadelphia.
Deborah C. Leeds	West Chester, Pa.
Mrs. Horace Fassitt	220 S. Twentieth Street, Philadelphia.
Joseph C. Noblit	1521 N. Broad Street, Philadelphia.
Miss C. V. Hodges	2102 Master Street, Philadelphia.
Rebecca P. Latimer	4131 Westminster Avenue, Philadelphia.

FOR TWO YEARS

Rev. Floyd W. Tomkins, D. D.	1904 Walnut Street, Philadelphia.
Rev. J. F. Ohl	826 S. St. Bernard Street, Philadelphia.
Harry Kennedy	Eagleville, Pa.
Layyah Barakat	256 S. Forty-fourth Street, Philadelphia.
William E. Tatum	843 N. Forty-first Street, Philadelphia.
Mary S. Wetherell	2036 Race Street, Philadelphia.
George S. Wetherell	2036 Race Street, Philadelphia.
Henry C. Cassel	2305 Germantown Avenue, Philadelphia.
Albert Oettinger	Warminster, Pa.
Rev. Philip Lamerdin	Olney, Philadelphia.
*David Sulzberger	316 Race Street, Philadelphia.
Mrs. E. W. Gormly	306 N. Negley Avenue, Pittsburg, Pa.
A. Jackson Wright	439 Hansberry Street, Germantown.
Frank H. Longshore	2343 E. Cumberland Street, Philadelphia.
Charles H. LeFevre	827 Race Street, Philadelphia.

FOR ONE YEAR

Mrs. E. M. Stillwell	1248 S. Broad Street, Philadelphia.
Charles P. Hastings	2304 N. Twenty-second Street, Philadelphia.
Isaac P. Miller	409 Chestnut Street, Philadelphia.
Elias H. White	Bailey Building, Philadelphia.
John Smallzell	Haddonfield, N. J.
John D. Hampton	Twenty-ninth and Ridge Avenue, Philadelphia.
John A. Duncan	257 S. Fifty-first Street, Philadelphia.
Jonas G. Clemmer	2209 N. Franklin Street, Philadelphia.
Charles McDole	812 Race Street, Philadelphia.
Samuel B. Garrigues	1719 N. Twenty-eighth Street, Philadelphia.
Harrison Walton	1706 Columbia Avenue, Philadelphia.
Rev. A. J. D. Haupt, D. D.	248 Amber Street, Pittsburg, Pa.
Arthur Buckler	2209 Tulip Avenue, Philadelphia.
Mrs. Mary S. Grigg	1235 N. Thirteenth Street, Philadelphia.
Henry W. Comfort	Fallsington, Pa.

* Deceased, 1910.

COMMITTEES.

Visiting Committee for the Eastern State Penitentiary:

John J. Lytle, P. H. Spellissy, John H. Dillingham, Dr. William C. Stokes, Rev. F. H. Senft, William Koelle, Joseph C. Noblit, Rev. Philip Lamerdin, Harry Kennedy, Rev. J. F. Ohl, William E. Tatum,	George S. Wetherell, Henry C. Cassel, David Sulzberger, Frank H. Longshore, A. Jackson Wright, Charles H. LeFevre, Charles P. Hastings, John Smallzell, John D. Hampton, Jonas G. Clemmer, Charles McDole,	Samuel B. Garrigues, Harrison Walton, Arthur Buckler, Albert H. Votaw, Deborah C. Leeds, Mrs. Horace Fassitt, Miss Rebecca P. Latimer, Layyah Barakat, Mary S. Wetherell, Mrs. Mary S. Grigg.
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Visiting Committee for the Philadelphia County Prison:

Joseph C. Noblit, David Sulzberger, John A. Duncan, Isaac P. Miller,	Albert H. Votaw, Mrs. P. W. Lawrence, Deborah C. Leeds,	Mrs. Horace Fassitt, Miss C. V. Hodges, Miss Rebecca P. Latimer.
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For the Holmesburg Prison:

David Sulzberger,	Frederick J. Pooley,	Rev. Philip Lamerdin.
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For the Philadelphia House of Correction:

David Sulzberger,	William Koelle, Layyah Barakat,	Deborah C. Leeds,
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For the Chester and Delaware County Prisons:

William Scattergood,	John Way,	Deborah C. Leeds.
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For the Bucks County Prison:

Henry W. Comfort,	Albert Oetinger.
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Committee on Western Penitentiary and Allegheny County Prison:

Rev. A. J. D. Haupt, D.D.,	Mrs. E. W. Gormly.
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Committee on Discharged Prisoners:

Joseph C. Noblit, Dr. William C. Stokes,	George S. Wetherell, Mrs. Horace Fassitt,	Mrs. P. W. Lawrence.
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Committee on Police Matrons:

Mrs. P. W. Lawrence,	Mrs. Mary S. Grigg,	Miss C. V. Hodges.
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Committee on Prison Sunday:

Rev. H. L. Duhring, D.D., Rev. J. F. Ohl,	Rev. R. Heber Barnes, Rev. F. H. Senft,	Rev. Philip Lamerdin.
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Editorial Committee:

Rev. R. Heber Barnes, Albert H. Votaw,	Rev. J. F. Ohl, Dr. William C. Stokes,	The President.
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Committee on Legislation:

Rev. J. F. Ohl, Rev. R. Heber Barnes,	David Sulzberger, Joseph C. Noblit,	Elias H. White.
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Membership Committee:

Dr. William C. Stokes, George S. Wetherell,	Elias H. White, Isaac P. Miller,	Henry C. Cassel.
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Finance Committee:

George S. Wetherell, Joseph C. Noblit,	David Sulzberger, A. Jackson Wright,	Isaac P. Miller.
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Auditors:

Charles P. Hastings,	John Smallzell,	John A. Duncan.
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JOURNAL OF PRISON DISCIPLINE AND PHILANTHROPY

ONE HUNDRED AND TWENTY-THIRD YEAR.

1787.

OF

1910.

THE PENNSYLVANIA PRISON SOCIETY

REPORT OF THE ACTING COMMITTEE.

During the year 1909, the meetings of the Acting Committee have been regularly held each month with the exception of two meetings in the summer, which, in accordance with a provision of the By-Laws, by special resolution, have been omitted.

Early in the year Frederick J. Pooley was appointed General Agent to have special charge of our work at the Eastern Penitentiary and at the County Prisons. He endeavors to visit all prisoners soon after their admission, assures them of our sympathy, and of our willingness to help them in every proper way. That numerous class of offenders who have wandered away from their homes, he endeavors to bring into touch with their families. He carefully investigates the condition and circumstances of those who appear to need special attention, and frequently by his recommendation a remission of sentence is granted by the Court to those who seem worthy of obtaining the favor. When prisoners are discharged, those who are in need are supplied with clothing, are aided in getting to their homes, and so far as possible they are assisted in securing employment. The report of the General Agent is appended and will show the nature of his varied duties.

The Committee under appointment to visit the inmates of the Eastern Penitentiary have been earnest in the performance of their self-sacrificing duties. Their reports, which are made each month, show that 6,164 visits to the prisoners have been made during the last year. From oral reports we learn that a large number of unreported visits have been made. We are confident that such visits, allowing frank interchange of

thought, exert a very wholesome influence. Statistics are impossible, but even the most depraved are influenced by personal contact with Christian men and women. From time to time we meet with persons, who have once been inmates of our prisons, who have thankfully acknowledged the benefit of the labors of our visitors.

The Committee appointed to visit the County Prisons also report faithful attention to their duties. Efficient work in the rescue of the women offenders has been performed. Four thousand seven hundred and eighty-seven visits to these prisoners have been made. It is a source of regret that insufficient accommodations both at the Penitentiary and County Prisons render it impossible to comply with that part of the sentence which requires separate confinement. Evil associations in prisons are often directly responsible for a career of crime and depravity.

Rev. A. J. D. Haupt reports frequent visits to the Western Penitentiary and to the Allegheny County Prison.

Mrs. E. W. Gormly is assiduous in her labors in the prisons of Pittsburg, and reports many instances of those who testify of their happiness and satisfaction in leading a new life. The Superintendent of the Allegheny County Workhouse in his official report alludes to the valuable services of Mrs. Gormly.

William Scattergood continues his careful and earnest attention to the needs and condition of prisoners at the Chester County Prison.

Deborah C. Leeds reports a number of religious visits to the prisons in Chester and Delaware Counties. Much satisfaction with her visits has been expressed by the inmates of these prisons.

During the year the Secretary has made special visits to the prisons in Pittsburg, and to the prisons in the counties of Beaver, Bucks, Erie, Lawrence and Warren. While in England, he visited Pentonville Prison, London. Reports of these visits have been made to the Acting Committee, and extracts from them will appear in the JOURNAL.

The year 1909 marks an era in the history of Penal Legislation in the State of Pennsylvania. Members of our Committee on Legislation have made a thorough study of methods of dealing with criminals in various States of the Union, and in connection with other interested parties proposed to the late State Legislature a draft of a law which with little change and

opposition was passed, signed by the Governor, and has therefore become a part of the statutory provisions of the State. This new act provides for Probation for adult offenders, for Parole for certain classes of criminals, and for the Indeterminate Sentence. Testimony not only from our own country but also from foreign countries was adduced which showed conclusively that where these methods had been tested their success was most pronounced. With the passage of this law, our duties are increased rather than diminished. We should exert our influence, so far as practicable, in securing the appointment of suitable men to serve as probation and parole officers. For these positions men should be chosen for their fitness, and not as a reward for political services. The wardens of our larger prisons to which criminals are sent for the longer terms are alive to the responsibilities placed upon them by the enactment of this recent legislation, and they have held conferences in order that the provisions of the law may be justly and impartially carried out. The Judge who has imposed a sentence may be presupposed to have come to his decision after years of study and experience. Now, to determine when a prisoner should be released requires equal wisdom; hence it is evident that a new and grave responsibility confronts the officials of our larger prisons. The after care of a man on parole is as important as his training while in the institution. In view of the vast importance of this subject, it has been suggested that the Acting Committee should delegate this matter to a special sub-committee on "Parole and Probation."

The last Legislature also passed a law which grants to official visitors the privilege of visiting prisoners in their cells, provided the prison officials do not regard such visits inimical to discipline.

Another law was passed providing that in counties of more than 150,000 inhabitants and less than 250,000, a Board, composed of the Judges of the Court of Quarter Sessions, the District Attorney, the Sheriff, the Controllor, and the Commissioners, shall appoint a Warden who shall hold his office so long as he gives satisfaction.

The Acting Committee suggests that the full text of these laws be inserted in the forthcoming JOURNAL.

Our fixed income, being insufficient to meet our expenses, we are therefore largely dependent upon the contributions of generous friends to maintain our work. During the last two years, in consequence of death, removal, and business de-

pression, we have lost a considerable number of contributors, and while we have added some names to our list of donors, there has been a shrinkage of donations. However, no department of our work at present has been neglected, and no prisoner has asked in vain for the substantial help we have been rendering for so many years. From 600 to 800 prisoners are annually discharged from the prisons in Philadelphia, and our Society has assumed the heavy expense of supplying them at the time of their discharge with a respectable suit of clothing. This very proper act of charity not only supplies their physical needs but also is a decided help in their quest for employment. A larger endowment would help us to enlarge our scope of operations. With more resources we could at the proper time employ a Field Agent for the State at large, and more effectually make the influence of our organization felt throughout the Commonwealth. We do not wish to be independent of our contributors, many of whom gladden our hearts by their hearty expressions of good will when sending their offerings, yet under present conditions, an amount of time and energy must be used in the task of soliciting funds, which could be profitably employed in more directly furthering the purposes of our organization.

It may not be amiss to refer to the adoption by the Society at its meeting in October, 1909, of a revised Constitution which became operative January 1, 1910. By-Laws of the Acting Committee in harmony with the Constitution have also been adopted.

Trusting that the blessing of our Heavenly Father may rest upon our efforts to relieve the distressed and to uplift the fallen, we enter another year with renewed desires to perform the service in the spirit of our Divine Master.

On behalf of the Acting Committee,

ALBERT H. VOTAW, *Secretary.*

JOHN WAY, *Treasurer*,

IN ACCOUNT WITH

THE PENNSYLVANIA PRISON SOCIETY

GENERAL FUND

RECEIPTS FOR THE YEAR 1909

To Balance on hand, December 31, 1908	\$673 76
" Members' Dues	228 00
" Contributions for General Purposes	1,934 50
" Net Income from Invested Funds	1,817 77
" Income from I. V. Williamson "Charities"	645 00
" Interest on Deposit Balances.....	34 32
" Life Memberships	80 00

\$5,413 35

PAYMENTS, 1909

By Salaries	\$2,641 71
" Sundry Printing and Postage	310 51
" Janitor Service, Rent	177 00
" Expense for Printing and Mailing "Journal"	400 44
" Traveling Expenses, Secretary and General Agent	50 87
" Committee on Legislation	58 50
" Office Expenses, Incidentals	90 11
" Dues for Life Members, paid over to Provident Life & Trust Co., Agent	80 00
" Amount Appropriated for Discharged Prisoners, over the col- lections for such specific purpose	906 71
" Balance	697 50

\$5,413 35

SPECIAL FUND

RECEIPTS

To Balance on hand December 31, 1908	\$492 52
" Receipts, Collections by Secretary	1,664 50
" Net Income from Invested Funds	143 08
" Money Returned by a Discharged Prisoner	2 00
" Appropriation from General Fund	906 71

\$3,208 81

PAYMENTS

By Clothing, etc., for Discharged Prisoners	\$2,218 81
" Amount Appropriated for Use at Philadelphia County Prison	990 00

\$3,208 81

BARTON FUND

RECEIPTS

To Balance on hand December 31, 1908	\$138 74
" Net Income from Invested Funds	61 74

\$200 48

PAYMENTS

By Tools for Use of Discharged Prisoners	\$7 00
" Balance on hand December 31, 1909	193 48
	\$200 48

HOME OF INDUSTRY FUND

RECEIPTS

To Balance on hand December 31, 1908	\$103 43
" Income from Invested Funds	24 50
" Income from Caroline S. Williams Legacy	110 74
" Income from Harriet S. Benson Legacy	196 00
	\$434 67

PAYMENTS

By Cash to Home of Industry	\$326 87
" Balance on hand December 31, 1909	107 80
	\$434 67

SUMMARY OF BALANCES

General Fund	\$697 50
Barton Fund	193 48
Home of Industry Fund.....	107 80
Total of Balances December 31, 1909.....	\$998 78

We the undersigned, members of the Auditing Committee, have examined the foregoing account of John Way, Treasurer, have compared the payments with the orders and vouchers, and believe the same to be correct, there being a balance to the credit of our deposit account under date of December 31, 1909, of \$998.78.

We have also examined the securities in the possession of our agents, The Provident Life and Trust Company of Philadelphia, and have found them to agree with an accompanying schedule.

ELIAS H. WHITE,
A. JACKSON WRIGHT,
Auditing Committee.

SAMUEL J. BARROWS.

At a stated meeting of the Acting Committee of the Pennsylvania Prison Society, held at its office June 17, 1909, the President called the attention of the meeting to the recent decease of our esteemed friend and co-laborer, the Rev. Dr. Samuel J. Barrows, of New York, and offered the following minute, which was unanimously adopted, to wit:

In the sudden death of the Rev. Dr. Samuel J. Barrows the cause of prison reform in the United States has lost one of its most distinguished and efficient advocates.

He was the Corresponding Secretary of the New York Prison Society, and one of the most prominent and useful members of the National Prison

Association. In its National Conference he took the leading part, and at the Conference held in Richmond, Virginia, in October last, he made a valuable report as the Chairman of the Committee on Statistics of Crime. He was United States Commissioner to the Seventh International Prison Congress, held at Buda-Pesth, Hungary, September, 1905, and was President of the Congress.

For many years he journeyed up and down our country, inspecting prisons and reformatories, and making plans for their improvement and for ameliorating the conditions of prison life. He also took great interest in promoting the welfare of prisoners after their discharge. In him they always found a true friend.

He was one of the earliest advocates of the parole and probation system, and lived to see that system adopted in most of the states.

Dr. Barrows was also prominent in other philanthropic fields. Indeed, his whole life seems to have been consecrated to the service of humanity.

He was an earnest and able advocate of the temperance cause, both in the pulpit and on the platform, and as a member of the United States Congress he was closely associated with the late Hon. William Randal Cremer, M. P., in the inauguration of the Inter-Parliamentary Union.

It is believed that Dr. Barrows' death was hastened by overwork in making arrangements for the International Prison Congress, to be held in Washington, D. C., in October, 1910, to the presidency of which he had already been elected.

Thus, one by one the workers are removed, but the work must go on, and the zeal and fidelity by which it has been so far advanced should incite us to a fuller measure of devotion in the beneficent work with which we have been entrusted.

In token of our high appreciation of the labors of Dr. Barrows and our sympathy with his widow in her great bereavement, the Secretary is directed to send her a copy of this minute.

JOSHUA L. BAILY,
President.

ALBERT H. VOTAW,
Secretary.

GENERAL AGENT'S REPORT.

At the September meeting of the Acting Committee of the Pennsylvania Prison Society, 1898, I was elected Agent of the Society for the Philadelphia County Prison, and during the past ten years have visited in the Moyamensing and Holmesburg Prisons more than 60,000 men and women.

On February 5, 1909, the Acting Committee elected me to the position of General Agent of the Society, which position carried with it (in addition to the work at the County Prison) the duties of Agent at the Eastern Penitentiary. When it is remembered that our Honorary Secretary, John J. Lytle, visited this institution for a period covering over fifty-six years as an official visitor and for more than twenty years as the Agent of our Society, the members and friends of the Pennsylvania Prison Society can well imagine my feelings in attempting to follow in the footsteps of one whose words and

work still live and will continue to live. In his last Annual Report, John J. Lytle says: "We can never know the full result of these labors. I have worked in faith endeavoring to minister to both their temporal and spiritual needs." From these words I found comfort and strength, and I feel that his work, both spiritual and temporal, has not been in vain.

To me this is a wonderful work, and I am more than pleased to know that the Christian people of our city and state and nation are becoming more and more interested in the work of helping to lift up those who have followed the path to a prison cell. During the year 1909, I have visited over 5,000 prisoners in the three prisons of our city. I have listened to many sad tales of hopes blighted. I have found that many of these poor creatures were victims of their surroundings and handicapped, as it were, in the battle of life, but the year's work has been full of encouragement. It is true, that there are many who come back after a short term of freedom, but to those we have been able to say "Try again," and to look to Him who alone can keep them from falling. Scarcely a day passes but that men stop me on the street and thank me for the assistance given them by our Society at a time when they most needed it. I have also written many letters to fathers and mothers in different parts of our country telling them of their lost boys. In the summer of 1883 during a visit to the Eastern State Penitentiary I found a young man who had been there about three years. He said he was an only son. Becoming dissatisfied with home surroundings he departed from that little town one hundred and thirty miles west of Chicago and finally arrived in a small town in our own State. Here he met some tramps who had a short time before committed a robbery. Being found in their company, he was arrested with them. During these three years not a word had been sent to his parents until I saw him that day, and with the consent of Warden Cassidy I wrote to his mother. I shall never forget the scene when that dear mother came on and stood face to face with her son. Soon afterwards he died, and I sent his body home. The mother wrote to me quite frequently until her death about a year since. I never enter a prison (since the discovery of the lost boy I have mentioned) without thinking of the lost son, and so sure am I of the directing power of God that I will frequently pass a cell and then turn back and open a door that I had already passed, and find a young man from a distant city. I

at once write to his relatives, who will frequently pay the young man a visit, and if the trial has not already taken place they may be the means of his acquittal when the case comes to court.

Some years since when I was visitor to the State at large for the Prison Society, I was on my way one Sabbath afternoon to a county jail in a town a few miles beyond Harrisburg, when I met a good Christian friend of mine and a prominent man of that town. I said to him: "I would like you to go with me to the jail." Said he: "I do not believe much in this work of visiting jails," and he did not go. A few months later I visited the same town and he came to me and said: "Do you know, Mr. Pooley, my son has gotten into a little trouble, and I feel if he is sent to your penitentiary, it is a good thing there is a society like the Pennsylvania Prison Society whose members could visit him? I feel differently about this visiting prisons." Ah! when it comes to one's own boy, how different! Let us feel, dear friends, that these boys have some one who loves them, and that we are our brothers' keepers.

At the close of the year, December 31, 1908, there were 1,480 prisoners confined within the walls of the Eastern Penitentiary. At the close of the year, December 31, 1909, there were 1,527, an increase of 47. Of this number 30 are life prisoners. There are 38 female prisoners. During the year 1909 there were 520 prisoners discharged. Of this number 405 were furnished with suits or parts of clothing and with tools, lodging, etc., by the Pennsylvania Prison Society through their General Agent, and in addition to this part of the work he took many to the early morning trains and saw them safely out of the city and beyond the reach of evil companions who often wait for the discharged prisoners at the prison gate for the purpose of leading them back to a life of crime.

In addition to the work at the Eastern Penitentiary your General Agent has a large field of work at Moyamensing and Holmesburg. During the year 1909 no less than 17,685 prisoners passed through the gates of the Moyamensing Prison, and on the 31st of December, 1909, there were 636 men in the Convict Department at Holmesburg. However, this record compares favorably with that of the preceding year, as on December 31, 1908, there were 709 men confined within the prison walls of the County Prison at Holmesburg, and during the year 1908 23,420 persons were committed to the Moyamensing Prison, and during 1909 there were 5,735

fewer commitments than in the previous year. There are those who will ask, how I account for this difference. I answer that I believe the lesson of temperance that has been taught to the younger generation is commencing to bear fruit, and I look for fewer commitments for drunkenness in the future than in the past.

The following figures of commitments to Moyamensing Prison for the past two years may be of interest:

		1908		
White Males	White Females	Black Males	Black Females	Total
17,497	1,740	3,267	916	23,420
		1909		
White Males	White Females	Black Males	Black Females	Total
13,228	1,247	2,443	767	17,685

More than 500 discharged prisoners from the County Prison were assisted with railroad tickets, board, lodging, room rent, tools, etc.

This report of the General Agent would not be complete without a word of thanks to the Inspectors, Warden, Superintendent, Chaplain, Prison Agent and all the officers connected with the Penitentiary and County Prisons, for at all times I have found them ready to help me in every possible way to make the work in which I am engaged a success. Mrs. H. Fassitt has helped wonderfully in the work amongst the women prisoners, and I would fail in my duty were I not to mention this fact.

The thanks of the members of the Pennsylvania Prison Society are due to Rev. R. H. Barnes, Mary S. Whelen, Jane W. Bartlett, Mrs. Keim, Wm. A. Davis, Louis C. Galenbeck, and the Friends' Institute for magazines and religious papers which were much appreciated by the prisoners. The motto calendars, so kindly given us each year for distribution at the Eastern Penitentiary, and the Holmesburg and Moyamensing Prisons, have a daily message for each prisoner full of inspiration. We appreciate the kindness of the Friend who sends them to us year after year. Our thanks are also due Miss Rosengarten for the package of underclothing sent to us for discharged prisoners. Your General Agent would be pleased if our friends would donate wholesome reading matter for prisoners. It can be left between 1 P. M. and 2.15 P. M. at the office, 500 Chestnut Street, on any day except Saturday.

Very truly,

FREDERICK J. POOLEY,
General Agent.

COUNTY PRISONS.

Report of the Secretary.

To the Acting Committee of the Pennsylvania Prison Society :

During the year 1909, by virtue of authority granted by the Acting Committee, your Secretary has visited and inspected the county prisons at Warren, Erie, New Castle, Beaver, Doylestown and Pittsburg, and also the Allegheny Workhouse and the Western Penitentiary. Without exception the officials of these prisons gave me a cordial reception and afforded the fullest facilities for inspection.

In one prison the Secretary found an inmate under sentence for one year whose conduct had been satisfactory, and who was regarded a proper subject for receiving the benefit of the commutation act. Papers were left with full instruction as to the method of securing a diminution of his sentence. It is wrong to confine a prisoner a moment more than is necessary when by law he is entitled to his freedom, and gives evidence that he is ready to become a law-abiding citizen.

An interview was held with one prisoner under sentence of death for murder committed under some wrathful impulse. He seemed ready to meet his doom with fortitude. Religious books and meditation were occupying the time of his last days upon earth. Personally, the Secretary regrets that the death penalty is sanctioned by law. To him such punishment does not appear to be a deterrent of other crime. Solitary confinement to hard labor, rigorously enforced, would be a more severe punishment than death. Recently at one of the prisons of the State a man, who had been convicted of an atrocious murder on circumstantial evidence, was judicially strangled to death. While there was no reasonable doubt as to his guilt, there does remain a possibility of innocence. It has occasionally happened that a legal execution has deprived the wrong man of life. In the public press within the last month, by the confession of some one in a Southern jail we have read that a death sentence of twenty years ago was inflicted on a man who was innocent of the crime for which he was sentenced.

In one of the prisons visited more care should be exercised with regard to the separation of the sexes.

After having within a year visited forty-five county

prisons of this State, I am convinced that we should exert our influence to make some change in our prison system. As conditions obtain at present, the smaller prisons throughout the State are nurseries of vice. They foster idleness and become seminaries for the propagation of vice and training of criminals. Unspeakable personal outrages are too often prevalent. Young and old for months are herded together. Those awaiting trial, sometimes held on suspicion and ultimately dismissed on account of an unproven charge, and those who for some misdemeanor are serving their first sentence, are thrown into association with hardened criminals whom to know for the shortest time breeds untold mischief. These facts have been repeatedly heralded, and various remedies have been suggested.

I would suggest the construction of twelve to fifteen Workhouses situated on farms throughout the State, and equipped for some industrial pursuit. Before these can be made fully effective, there should be some change made in the statutes so that there should be no restriction on the amount of labor nor any curtailment of the products of the industries. To these workhouses should be sent those who are convicted to serve sentences of more than fifteen days and less than three years. The prisoners by their own labor would largely support themselves by the farm products. I was exceedingly interested in visiting the Allegheny County Workhouse, for this is an institution which indicates what may be accomplished by an industrial penal establishment. The workhouse is on a farm, which, largely by the labor of the convicts, is made to produce potatoes, eggs, milk and other supplies. The broom, brush and carpet factories show a profit. In the last year some addition was being made to their building, and all the labor except that connected with the cell fronts, grating, corridors, windows and doors, was performed by the convicts. The record shows that in about seven months of last year there were only 912 days' labor performed by outside employés, but the number of days' work contributed by the prisoners was 15,424. It was also shown by the records that more than one half of those received during the year were serving sentences of thirty days or less; hence it is quite possible to have a large amount of work done by the short termers.

If some general system could be adopted, whereby such workhouses could be established in different parts of the State, they should be under the management and supervision of the

State authorities. Thus the convicts would be disposed of in such a way as to prevent congestion in some workhouses. The community may be protected while offenders are detained, but if they are detained in idleness, the protection to society is temporary. Statistics and common sense indicate that those who have been discharged from institutions, where there is work to be done and some responsibilities to be assumed, are more liable to become creditable citizens. Then these institutions would in time become self-supporting, and so lessen the burdens of taxation. In the State of Minnesota, the convicts at the State Penitentiary are allowed to manufacture binders' twine, and the proceeds of this industry not only pay all expenses of prison management but also is largely profitable to the state. The same thing is to some extent true of the State Penitentiary in Michigan. The number of industries at which convicts may work may be limited, but the output of the allowed industries should not have legal limitations.

As a rule, young offenders are segregated from the professional or hardened criminals, but from insufficiency of accommodations there are some prisons in the state where separation appears to be impracticable. Rev. A. J. D. Haupt, one of our members from Pittsburg, writes that he deeply deplores the fact that there are any opportunities for the young offenders to associate with the vicious criminals. "I am trying all that I can to open the eyes of the people and of the authorities to these conditions, and to show them that we are creating criminals . . . rather than staying the tide of crime."

In one county I found some prisoners who appeared to be unreasonably detained for non-support and for non-payment of fines. In this county there was no industry at which they could work out the charges. I have taken legal advice, and hope to accomplish something for the relief of such prisoners.

ALBERT H. VOTAW, *Secretary*.

THE DOOR OF BLESSING.

The Door of Blessing, 4220 Chester Avenue, was founded and is conducted by Mrs. Horace Fassitt. Its object is to provide a home for women discharged from prison until they shall secure employment or may find a home with friends or relatives.

During 1909 forty-four women and four babies were received. Employment was found for thirty-two of these women. Eight women were sent to their homes in other cities.

There are four women who left the Home and have not been heard from. With these exceptions all appear to be doing well. Nine have been cared for in hospitals. The children were cared for while the mothers were serving sentence. Suitable clothing is provided for the women when they go out for employment. This charity should be liberally supported.

HOME OF INDUSTRY.

The Home of Industry, Seventy-third Street and Paschall Avenue, provides discharged prisoners with food, shelter and employment until they find regular employment elsewhere. The object is to build up men, morally and physically, and so prepare them for beginning once more a business career. Efforts are continually made to get positions for them where they may earn a competence. The object is a worthy one and deserves substantial encouragement.

CORRESPONDENCE.

From a letter of a gentleman interested in prison discipline who formerly resided in Philadelphia, but now resides in New York:

To the Editor of the JOURNAL.

DEAR SIR:

On Sunday morning, November 28, 1909, I visited the Eastern Penitentiary of Pennsylvania. It did my heart good to see the way in which prisoners are there treated. . . . I found good food, comfortable cells, sufficient covering, absolute cleanliness and a manifest feeling of contentment among the prisoners. This feeling arises from the constant exercise of justice tempered with mercy. I found no prisoners under punishment, and there appears to be rare occasion for punishment. No severe or inhuman methods of punishment are in vogue. I did not notice striped clothing, cropped hair or the lockstep. . . . The prison appeared to me to be a place of detention at which reform might reasonably be anticipated. . . . Warden McKenty treated me with great kindness and courtesy. . . .

Yours truly,

BEVERLY ROBINSON, M. D.

New York, December 3, 1909.

A VISIT TO THE MINNESOTA STATE PRISON.

The Minnesota State Prison is located at Stillwater, sixteen miles from St. Paul. Under the able management of its intelligent Warden, Mr. Henry Wolfer, it takes very high rank among those penitentiaries of the land which are conducted in accordance with the most enlightened present-day methods. When the new buildings, now under construction, are completed, these methods will receive a still wider application, and will no doubt yield correspondingly good results.

The present prison is, however, hardly adapted to carry out to their finality the principles and methods of the new penology. Recognizing this fact, the Legislature of Minnesota appropriated upwards of two and a half million dollars for the construction of a new prison of the most modern type. The site for this is a beautiful plateau overlooking the St. Croix River at an elevation of about forty feet, two and a half miles from Stillwater. A farm to be connected with the prison consists of one hundred and sixty acres, and the prison inclosure proper of twenty-two acres. An inexhaustible supply of purest water will be furnished to all the buildings from springs on the premises. The sewerage, heating and ventilating systems will be constructed on the most advanced scientific principles. The cell houses will be light and airy, and the cells of ample size. Modern bathing facilities will be installed. Besides the rooms for officers, employes and visitors, and well-appointed kitchens and laundry, provision will be made for school rooms and lecture halls, a printing establishment, a first-class hospital, a large dining-room for prisoners, and a chapel, while three and a half acres of the inclosure will be used for parade grounds, and the same amount of ground as a park, with the hospital and greenhouse as the center.

The principal industry in the Minnesota State Prison is the manufacture of binder twine. Under an Act of the Legislature, passed in 1907, the manufacture of farm machinery has also been begun, and this will assume large proportions when the new prison is finished. The buildings for these two industries will rival the best constructed and most sanitary manufacturing plants in the country. At present, shoes are also made in the old prison at Stillwater under contract with the Western Shoe Company; but in 1909 the Legislature passed a law prohibiting the leasing of the labor of inmates,

and after the contract with the shoe company expires all prisoners will be employed on State account in the manufacture of binder twine and farm implements and machinery. The latter industry promises to be as popular with the farmers of Minnesota as the former. The twine now made is of superior quality, is sold at a little more than the cost of manufacture, and the system under which it is produced provides healthful and remunerative employment for those to whom idleness would be the greatest curse.

The twine plant was established in 1891, at which time the Legislature appropriated \$100,000 for machinery and \$150,000 as a working capital. On this investment the profits to the State have since then been approximately \$1,500,000. In other words, the prison is more than self-supporting. Fourteen years ago, with a population of 504 prisoners, the expenses of running the prison exceeded the earnings by \$35,285.04. In 1907-1908 the earnings exceeded the expenses by \$257,220.26. In 1895 a little over 3,000,000 pounds of twine were manufactured; in 1909 almost 18,000,000 pounds, or a grand total at the close of 1909 of 123,885,000 pounds. "It is believed by careful observers," says the last handbook of the prison, "that the farmers of this State have been benefited to the extent of three cents per pound, making an economic saving to them of \$3,716,550; to which should be added the profits of \$1,500,000, making a grand total of gain to the farmers and to the State of \$5,216,550." When the new buildings are completed it is hoped to realize a profit of at least \$300,000 a year, and by and by to earn enough to pay back to the State all the money it appropriated for them.

In summing up the benefits of this industrial system, the handbook says:

"If worked out along this line the benefits to the State and the taxpayers and to the unfortunate inmates, may be summed up as follows:

"First. The State will have solved the convict labor problem on a broad-gauged and humanitarian basis, and in a more satisfactory manner than in any other State in the Union, resulting in the largest degree of mechanical training for the benefit of the unfortunate convict at the minimum of competition with honest labor on the outside, in that the two industries selected are not carried on in this State.

"Second. The products of this labor are handled and dis-

tributed for the benefit of the people of our own State, and for the benefit of the taxpayers thereof.

"Third. The institution will have built itself; the industries will have sustained themselves during the period of their respective growths and development, so that in the end the new institution will be fully paid for and always more than self-sustaining.

"Fourth and finally. There will be built a new, modern and suitable prison, a modern and efficient twine factory, a modern and complete farm machinery plant, in which to house and employ all of the State's prisoners under the most modern and up-to-date methods, with funds to carry on the business without cost to the State or to its taxpayers."

But more important than any financial and economic benefit is the rehabilitation of the prisoner himself. In the effort to bring this about the good influence which industry in many ways exerts upon the prisoner is by no means to be undervalued. Idleness, besides destroying the discipline of the prison, helps to destroy the prisoner, and to make almost every other appeal to him ineffective. Hence, the very first concern of States and prison authorities should be to provide useful and remunerative employment for those in confinement. But to this must then be added such other elements—religious, moral and educational—as tend to bring about the reformation of the prisoner. And in this respect Minnesota is not behind any State in the Union. It has introduced the grading system at Stillwater as an incentive to good conduct. This is seconded by the parole law, under the provisions of which any prisoner who has never served a previous term in a penal institution may be paroled by the State Board of Control at the expiration of one-half of the full time for which he was sentenced, provided he has preserved a good record in prison and has been in the first grade for six months or more. A night school is maintained under the supervision of the superintendent of the public schools of Stillwater, assisted by a corps of teachers chosen from among the inmates, and the course of study in this corresponds to the course pursued in the State schools up to and inclusive of the grammar grade. The better educated prisoners are privileged to join a branch of the Chautauqua Society located within the walls of the institution, officered and managed entirely by themselves, and pursuing under the direction of the main organization the regular course of Chautauqua study each year. A library of 7,000 volumes is at the

service of the inmates, and from 1,300 to 1,800 papers and magazines are exchanged daily through the librarian and his assistants. A band and an orchestra supply entertainment. Catholic and Protestant services are held in the chapel on alternate Sundays, for which the music is furnished by the prison orchestra and the prison choir. And as a result of these modern, humane and reformatory methods of dealing with wrongdoers, but 19 2-3 per cent. of the 934 prisoners paroled since 1894 have violated their agreement. In reviewing the past twelve years the handbook says:

"In 1895 the grading and parole system had already been established at the State Prison, but it was still new and undergoing a constructive period of evolution. It has made steady progress since. Our school periods have been extended and special attention has been given to educational advantages. Our school term now covers a period of eight months each year. We are fully abreast of the best and most advanced thought on penal management in the United States. Our grading system has been so well tested out that it works smoothly and harmoniously and is a powerful incentive to good conduct and the preservation of a well-balanced discipline. The parole stimulates the desire to make progress in the direction of right living and good citizenship, so that in the practical application of the humane principles involved, hope is awakened and encouraged. Thus the first essential lesson to self-support is learned. It teaches the prisoner that he must work out his own salvation; that he is a part of the social and economic machinery of the government; though but a unit in the great cosmic forces, still a unit that must be reckoned with and molded into a harmonious social fact, or restrained, thrown off or destroyed. In short, it is believed that the grading and parole system with its modern accessories now in practical operation in Stillwater, is capable of, and does teach by incentive, encouragement and example, the following principles:

"First. That a violator of the law is an enemy to social order, and that while thus making war upon society he is destroying himself.

"Second. That every human being enjoying the rights of liberty is responsible for his conduct to his Maker and to society.

"Third. It teaches him to earn his own living, respect the property rights of others and obey the law.

"Fourth. It is a helpful factor in separating the good

from the bad, the responsible from the irresponsible, and thus promotes justice, humanity and social order.

"Fifth. It keeps the star of hope ever in view, and emphasizes the maxim that 'It is never too late to mend.' And

"Sixth. That the laws of God, the laws of government, and the laws of society are good, and just, and humane, in so far as human intelligence can interpret the first and human justice the other two."

Not only will the new Minnesota State Prison when completed be one of the best and most modern prisons in the United States, but it will afford its Warden such opportunities for carrying into execution his well-matured views on prison administration as will make it in all respects one of the model penal institutions of the world.

J. F. OHL.

PENTONVILLE PRISON, LONDON, ENGLAND.

BY A. H. VOTAW.

One day in midsummer, 1909, by kindness of the Home Department of the English Government, also aided by the credentials which I carried from the Acting Committee of the Pennsylvania Prison Society, I had the privilege of a visit to Pentonville Prison in the English metropolis. I was received very courteously by the Governor, Major Davis, with whom I had an instructive interview. I regret that my limited time did not allow to me the fullest examination of that admirably conducted institution. This is probably the largest local prison in the city of London, having accommodations for 1,174 prisoners, with an average population for the last fiscal year of 1,078. The arrangement of the prison may be compared to the half of a wheel, the four story corridors radiating from a spacious chamber which affords a ready outlook to all the corridors. The corridors are wide and the ventilation seemed to be quite satisfactory.

The prisoners are employed in several industries, such as making baskets, mattresses, nose-bags, mops, brushes, etc., and the value of their work for the last year was estimated at over \$50,000.

But one inmate to a cell is the invariable rule. They may work together under the oversight of officers during the day,

but while in the cells solitary confinement is rigorously maintained. Major Davis assured me that unspeakable evils resulted from placing criminals together in the same apartment. Being asked how he would manage this when more prisoners were received than he had cells for lodging them, he replied that such a condition was extremely unlikely to arise. The Magistrates at the various local police stations may not select the prison to which they may commit either those who are found guilty or those who are to be detained for trial by the Higher Courts. They report directly to the Home Department, to which daily reports, giving full information of the inmates, are sent from all the local prisons of the United Kingdom. The Prison Commissioner at the Home Office may issue orders to send a certain number to Pentonville, another batch of criminals to some other metropolitan prison, and may even order some sent outside of London. This is a demonstration of at least one of the advantages of a centralized penal system. In the United Kingdom there are five large convict prisons, and they are subject to the same general management.

Major Davis is especially interested in efforts to find employment for discharged prisoners. If a prisoner has exhibited some genuine indications of reformation, he regards it of the highest importance to clinch this resolution by securing for him the means of making an honest living. With this object in view he gladly welcomes any persons or organizations that will coöperate with him in these lines. One society for aiding prisoners has its headquarters within the prison walls. This organization endeavors to keep a record of the prisoners. Their inquiries, which are preserved in convenient form, embrace the main points in the life of the convict. The prospective employer may know his age, offence, length of sentence, whether previously convicted, his home conditions, the names of his relatives, the address of his last employer, and his church affiliations, if any such exist. One may learn in regard to his trade, his health, his earning ability and his expressed prospects. This society urgently requests employers of every sort of labor to aid in elevating humanity by giving a trial to such persons as the society after painstaking investigation may deem worthy of the experiment. There are possibilities involved in this scheme which our prison authorities may do well to consider. What is needed is some organized plan of keeping employers informed of just what material can be recommended.

Perhaps there are no types of criminals so low and des-

perate in the Anglo-Saxon world as are found in London, and many of these hardened criminals are confined at Pentonville. Naturally, I was interested in ascertaining what punishments are meted out to the refractory. Statistics show that of the 17,920 prisoners confined therein during the last year only 1,665 received punishment. The largest number of punishments was for idleness, and they generally consisted in closer confinement or restriction of diet. Twenty-two convicts had been handcuffed. Three prisoners who had inflicted gross personal violence upon the keepers had been sentenced by the prison officials to receive "birch" treatment. The sentences of two of these cases having been confirmed by His Majesty's Inspectors, the punishment was duly inflicted.

Major Davis voluntarily made the statement that in his judgment the United States were far in advance of Great Britain in parole systems and probationary methods. When they speak of parole, they use the term "Borstal" from the fact that at the Borstal Prison some features of the parole system are in vogue. From the various prisons in the kingdom, prisoners between the ages of sixteen and twenty-one who show tendencies to reformation are transferred to Borstal; but now two or three other prisons are partially committed to the Borstal plan. At Borstal the prisoners are divided into three grades: Penal, Ordinary, Special. On reception the convicts are assigned to the Ordinary grade, from which they are promoted or demoted in accordance with their industry and behavior. The color of the outer clothing of the Penal class is Quaker drab, the color is brown in the Ordinary class, and those in the Special class wear a blue uniform. Inmates are transferred from the Ordinary class to the Penal by order of the Governor, if they are believed to be exercising a bad influence, but no inmate shall be detained longer in this grade than is supposed to be really necessary for the interests of himself and others. While in the Penal grade they are to be employed at work of a hard and laborious nature, and shall receive no gratuity. They are allowed neither to receive nor to write letters and they cannot meet visitors. Their cells are very scantily furnished. The large majority of those received at Borstal are promoted to the Special grade, and their cells are provided with an iron bedstead, a mirror and a strip of carpet. After a prisoner in the Special grade has earned a certain number of credit marks for industry and satisfactory conduct, he becomes a candidate for a license discharge. However, before he is dismissed on

parole, his case must be thoroughly examined. First, the Institutional Board must be satisfied after examination and investigation that the prisoner whose name is at last on the honor-roll will abstain from crime, will lead a useful and industrious life, and will secure employment. His name is then submitted to the Visiting Committee, and, if upon a review of all the facts in the case, they agree with the Institutional Board, they recommend to the Prison Commissioners that such convict be discharged from the institution on license. Special provision is made with benevolent persons or societies, who may be willing to assist the case on discharge. These societies or persons continue in active and well-directed supervision of such cases till the expiration of the time of the sentence. Efforts are also made to keep in touch with these licensed persons for months and years after the expiration of their sentences. The authorities are confident that over 60 per cent. of these criminals become permanently reformed.

The Governor of Pentonville had long been convinced that the habitual criminal needed particular treatment, and he mentioned with approval an Act, recently passed, which gives power to the Court to declare a man who has been persistently leading a dishonest and vicious life to be an habitual criminal, and in all such cases a subsidiary sentence may be passed, ordering that on conclusion of his term of penal sentence, he may be kept for a further period not exceeding ten nor less than five years in a state of "preventive detention." Such an institution is about to be established, and will have all the force and security which strict discipline and safe custody demand, while at the same time, it will admit of some indulgences and privileges earned by industry and good conduct. Thus the conditions of detention will be less onerous in some respects than those of ordinary penal servitude. The system will be directed to fostering habits of industry and self-control with a view of restoring him to the community as a useful citizen.

I was led to the conclusion that the prison officials in England are earnestly studying the criminal problem with the avowed purpose not only of protecting society by detention of the lawbreaker, but also of a more complete protection by effecting his reformation.

London, Seventh Month 20, 1909.

THE ADMINISTRATION AND NEEDS OF A
MODERN STATE PRISON.*

BY THE REV. J. F. OHL.

The modern State Prison of the best type has been a gradual evolution. As is still the case with most county prisons, there was a time when the State Prison was regarded chiefly as a place of detention and of more or less vindictive punishment until the State and society had gotten even with the wrongdoer. That the prisoner is entitled to sanitary surroundings; that he must be protected from influences calculated to undo him entirely both physically and morally; and that it is the duty of the State to make every effort possible to rehabilitate him—these are conceptions that not many years ago were comparatively rare. But what may at one time have been only the dream of a few has in the best of our State Prisons come to be a blessed reality. To-day penology is a recognized science, engaging the most earnest thought and endeavor of many of the world's brightest men and women; and the papers and discussions by these at conferences and congresses have helped to bring about vast changes not only in the physical condition of penal and reformatory institutions, but above all in their administration. The enlightened prison reformer of the present would so equip the convict in body, mind and soul as to enable him on his discharge to take his place in society as a productive and law-abiding citizen.

To aid in bringing about this result the modern State Prison should, in the first place, *be so located, constructed and conducted as to insure the physical well-being of its inmates.* The State that incarcerates a man or woman in a place that breeds disease and wrecks health commits a crime itself against the very person whom it punishes. The increasing recognition of this truth is happily bringing about many wholesome changes. Among the most recent and beneficial of these is the locating of State Prisons on large farms, where good water is abundant, proper drainage can be secured, and men may have outdoor employment. The improved health of convicts under this system, the more varied and abundant dietary

* Paper read before the Pennsylvania Conference of Charities and Correction, December 8, 1909.

which a prison farm makes possible, and the diminished cost of maintenance fully justify this innovation. Structurally the modern State Prison should have plenty of light, a first-class heating and ventilating system, absolutely sanitary plumbing, ample bathing facilities, a well equipped hospital, model workshops, and cells affording at all times four hundred and fifty to five hundred cubic feet of pure air, with, of course, but one person to a cell. Finally, in a prison so constructed those in charge must see to it that every device is constantly kept in perfect order, and that the prisoners avail themselves to the utmost of the facilities placed at their command for the conservation of their health.

The modern State Prison should, in the second place, *make adequate provision for the employment of its inmates*. Idleness is always demoralizing, but nowhere more so than in enforced and long confinement. Failure to furnish some useful and productive form of industry makes a permanent idler of him who once was industrious, and robs the one who never knew how to use his hands of the privilege of learning it. And not only is the prisoner injured by idleness, but the prison itself. Said the late Warden Haddox at the Albany Prison Congress: "A score of idle or partly idle convicts can do more mischief, subvert more discipline, destroy more regularity and system than a regiment of men kept at proper, legitimate employment;" and it was this intelligent warden's conviction that the very key to proper discipline is a labor system that embraces in its scope every person in prison fit to work. It is therefore a grievous wrong, both to those in confinement and to those responsible for their conduct, that in our two State Prisons the great majority of convicts are by law deprived of work; and the next legislature could render no better service to the State, to society, to the penitentiary authorities and to future State prisoners than to repeal said act and in its place pass another, somewhat like the New York law, under which every convict could be employed all the time. Nor should the economic and financial benefit which the State and taxpayers would derive from such legislation be overlooked. Over against the large sum of money that we annually expend for the maintenance of our two penitentiaries, Minnesota, *e. g.*, under its admirable prison labor system, not only makes its State Prison self-supporting, but derives a net revenue from it amounting in 1907-8 to \$257,220.26, and since 1891 to \$1,447,702.07. Out of this profit, moreover,

the prisoner receives far better compensation for extra work than is usual, and on his discharge \$25 in cash and quite a superior outfit of clothing.

But I go still further and maintain that the prisoner should not only earn his living while in confinement, but that he should be given the opportunity to earn enough besides to support his family, if married; and whether married or not, to enable him on his release to get a new start in a world that will at first turn him the cold shoulder. If, moreover, he is imprisoned for fraud, some system should be devised whereby out of his earnings he could make, and be obliged to make, restitution as far as possible. For the State to exact several years of toil from a man without proper compensation is not simply to punish him often far beyond what he deserves, but it is to be dishonest with him besides; and what wonder that many who come to realize the injustice of the present system become the permanent enemies of society! When once we begin to make industry in prison serve some or all of the purposes indicated, courts will cease to sentence men to prison at "hard labor," as if labor there were to be regarded as a punishment instead of a blessing in more than one way. But in whatever light we regard it, and however profitable prison industry may be made, both to the State and to the convict, its primary purpose must not be to make money, but to make *men*.

A third important factor which the modern State Prison should not overlook is *the discipline of the mind*. This is in many cases as necessary as the employment and training of the hands. A very large number—in some States perhaps the majority—of those sent to the State Prison are practically illiterate, some indeed mentally defective. The latter should not go to the State Prison at all, but to an institution for the feeble-minded and insane. For the others, however, there should be a prison school, organized and conducted as any other school would be, and open several hours every day, with the exception of Sundays and holidays. Those who are beyond the elementary stage should have special opportunities, and for such courses in bookkeeping, stenography and type-writing might be provided. In at least one State Prison, to my certain knowledge, there is a branch of the Chautauqua Society, officered and managed entirely by inmates, pursuing the regular Chautauqua study course each year, holding meetings fortnightly in the chapel, at which reports are read, discussed and criticised, and all this in the most orderly and

dignified manner. In another we are told that scores of men take courses in the correspondence schools, do well, and neglect no prison requirement; while this same warden maintains that the books for the prison library should be selected with as much care as those for a university or college library; and that it should "be stocked with practical handbooks that tell men how to do things, such as to mix concrete, lay bricks, build houses, construct telephone lines, run machinery and similar enterprises." Nor should those behind the bars be denied all knowledge of the world's doings. They cannot again take their place in society, and move along naturally with the rest of mankind if for five, ten or fifteen years they have been kept in ignorance of human progress. Hence in addition to providing a well-selected library, the authorities of a State Prison should not hesitate to circulate among its inmates such periodicals as "The World's Work," "The Review of Reviews," "The Literary Digest" and others of equal merit, and to permit them regularly to read clean newspapers.

Above all should the modern State Prison be conducted along such lines *as will tend to bring about the moral and spiritual improvement of those within its walls*. Here many things might be mentioned, all of which are calculated to strengthen the moral fiber. The more nearly the majority of prisoners, especially first offenders, can be dealt with as normal human beings, and the better they can be made to understand that those who are their guardians are also their friends who will trust them so long as they prove themselves worthy, the greater is the likelihood that they will respond to the efforts made for their rehabilitation. It is with thoughts like these that the authorities of leading State Prisons have introduced the grading system, common dining halls and chapels for congregate worship; that they encourage the cultivation of vocal and instrumental music among the inmates, and provide for concerts, lectures and entertainments; that they make the appeal to the æsthetic sense by adorning the bare spaces within the prison enclosure with green lawns and beautiful flowers; and that, like Superintendent Leonard of the Ohio State Reformatory, they employ a large number of men in a trusted capacity, not, as he says, "to make them informers, not to pamper them, not to make them envied by the other prisoners," but to develop self-control and to make them self-governing. Wherever these new and intelligent methods

have been introduced they have been amply vindicated by the results achieved.

Perhaps no remedial measure has yet been devised which, when wisely administered, incites to better behavior and to a larger measure of self-restraint than the system under which an indeterminate sentence is pronounced upon the convict, with the privilege of parole under certain conditions. This system virtually places the key of the prison into the hands of the prisoner, and says to him: "If you will make up your mind to be a decent, law-abiding citizen, and will give sufficient evidence of this changed purpose, you will, after a given period, be permitted to serve the balance of your sentence outside of the prison walls, and to demonstrate to society that you are fit to be at liberty." The old and absurd definite sentence makes no such appeal to the prisoner, puts no such hope before him. Under this system, says Warren F. Spalding, men "remain in custody because they must; they obey because it pays. They make no effort, because nothing depends upon effort. They have no ambition, because there is no incentive to ambition. They become dependent and helpless, because everything is done for them. They go out at the end of their terms incapacitated by a manner of life which has required neither struggle nor forethought, and easily succumb to temptations which they have not acquired power to resist, or become dependent upon friends or charity. . . . The only remedy is the indeterminate sentence and the change of system which it involves. The man is sent to prison because he is unfit to be at large. The crime which he has committed justifies the court in depriving him of his liberty; but as the court cannot tell when he will be fit to be at liberty again, it does not fix the date of his discharge, but leaves it to be fixed by those who can judge when he has ceased to be a criminal. As soon as he reaches the prison he becomes conscious of an appeal to change his character, for he cannot be discharged until he changes it. He is not enduring a punishment 'inflicted' upon him; the State is not 'getting square' with him; he is not paying a debt. He is merely detained until he is fit to be at liberty. He has little to do with the past, but everything to do with the future, for the length of his term does not depend upon what he *has* done, but upon what he *shall* do. He will cease to be a prisoner when it is believed that he has ceased to be a criminal, and not before."

Mr. Henry K. Straley, parole agent for the State of New

Jersey, in his recent annual report recommends that prisoners upon whom families depend for support should be paroled after one year's confinement, and says that after an experience of eighteen years he has come to the conclusion that a very small percentage of the prisoners with whom he has come in contact can be classed as criminals at heart. He shows that of the one hundred and ninety-seven prisoners on parole October 31, 1909, forty-six were engaged in business for themselves; one hundred and thirty-three were employed on farms or in business houses; eleven were sick and unable to work; and there were only seven who could not be located by him. Surely a most remarkable showing!

But beyond all other saving means is the one which an inspired apostle calls "*the power of God* unto salvation to everyone that believeth," namely, the life-giving, renewing Gospel of Jesus Christ; and for the reception of this the indeterminate sentence and parole system, with the new hopes it awakens, in large measure helps to create the proper conditions. Criminal propensities are not of the head, but of the heart. They are not cured by a surgical operation as some would have us think these days, but only by the grace of God as this becomes efficacious through the Word. Therefore the constant aim must be to reach the real source of the trouble—the *heart*, for "out of the heart," says our Divine Master, "proceed evil thoughts, murders, adulteries, fornications, thefts, false witness, blasphemies." Every well-conducted State Prison therefore needs a large-hearted, clear-headed chaplain, who thoroughly realizes the responsibility of his position—not a sentimentalist, but one who knows how rightly to divide the word of truth; not a superannuated, worn-out minister, but one fresh and vigorous in body, mind and soul; not a man who is wanted nowhere else, but one who has the ability to serve the best congregation; not one who waits to be called, but one who will be a genuine pastor among his charges all the time. The modern State Prison furthermore provides a chapel in which the prisoners can gather for common worship in the orderly, reverent and devotional manner of an outside congregation. Let such a chapel have at least internally the appearance of another house of God; let its symbolism on walls and windows remind those who meet in it of the great saving facts and truths of revelation; let a pipe organ, if possible, and a choir of convicts help to beautify the service; and above all let the Word here preached be sane and sound, in demon-

stration of the Spirit and of power. If these things have a purifying and ennobling influence *outside* of prison, leading men to better thoughts and nobler purposes, why not *in* prison?

Now to bring about improved conditions where they do not yet exist the first requisite is the creation of a *healthy public sentiment*. There is perhaps no subject about which people are so ignorant, and consequently so indifferent, as that of crime and criminals. The wrongdoer is simply arrested, sent to prison, and—forgotten. That he may be reclaimed, especially after a first offense, and perhaps even *without* imprisonment, by placing him on probation, is a thought still foreign to most minds. Even the legal profession is still to a great extent wedded to the old *lex talionis*—an eye for an eye, and a tooth for a tooth. Hence those who advocate the newer and better methods should make use of every occasion and opportunity to spread information on these subjects, and to foster a sentiment that will compel the introduction of a more rational system of dealing with convicts.

Adequate laws are a second requisite. States like Massachusetts, New York, Ohio, Indiana and Minnesota have taken immense steps forward in passing laws that make the application of the newer methods possible; and the results have in every case been most gratifying. Our own State put itself in line with these when its last legislature passed the bill providing for probation for adults, and the indeterminate sentence and parole, which, it is to be hoped, is but the beginning of a radical reconstruction of our penal system.

But however excellent a system may be, it will fail of its hoped-for results if the proper persons are wanting to administer it intelligently and wisely. Not laws have made the Juvenile Court of Denver what it is, but Judge Lindsey. Not the system followed, enables the Ohio State Reformatory to put upwards of two hundred men at work outside the prison walls, unrestrained by any physical force, and without losing a man, but the respect for and confidence that the men have in the Superintendent, Mr. Leonard. It is such men—men of strong character and sound judgment, men who know how to control themselves as well as others, men who will always seek the highest good of their charges, who should invariably be placed at the head of penal and reformatory institutions. And when a man of this kind is so placed it should be understood that *he* is the warden or superintendent, and not the board or some member of the board. The surest way to wreck

the discipline of an institution and to nullify all reformatory efforts is to tie the hands of one who by study, training, temperament and character demonstrates his fitness for a position so important and responsible. As for subordinates, these too should be more than mere keepers or guards. No man is fit to be an overseer who in his conduct and language is but little above the most vulgar and depraved prisoner in his charge. And here the question suggests itself whether men who are given places of this kind, besides being men of the best morals, should not also first be given a special training along various lines to fit them for their work. Finally, we all of us agree on the proposition that all appointments, from the warden or superintendent down, as well as the general management of penal and reformatory institutions, must be absolutely divorced from politics.

This paper has so far had in view the man upon whom reformatory efforts may not be spent in vain. But how about the habitual criminal, the man who again begins his depredations upon society as soon as he leaves prison, and is almost at once returned? Without limiting the grace of God to any elect number, my own conviction is that some men are beyond reformation. God is indeed "able to save to the uttermost," but only "them that come unto Him," and some *will not* come. With such persistent enemies of society we must deal as we would with a leper or an insane person. They must be segregated from society in a place where they can do society no harm, either until they are cured, or, if never cured, then permanently.

A few suggestions in conclusion :

1. For prisoners who are sentenced under the thirty-year provision of the new law, Pennsylvania needs a third or central penitentiary. This would to a great extent relieve the frightfully overcrowded condition of the Eastern Penitentiary, make better classification possible in both the Eastern and the Western, and enable the authorities of both to conduct them on a purely reformatory basis.

2. An imperative need of the State is a reformatory prison for women. In Philadelphia we send depraved women for a short time to the House of Correction, where they come into contact with others no better, possibly worse than themselves, where little or nothing of a genuine reformatory character is or can be done to reclaim them, and when they come back to the city they simply continue their old habits until they

are again arrested and sent up. So the process goes on indefinitely; and what is true of Philadelphia is no doubt true elsewhere. Therefore the need of a State institution to which such can be committed for not less than two years, and be brought under real reformatory influences. Massachusetts furnishes a most noteworthy example of what can be done by such an institution.

3. Finally, may we not hope that the time will come when the county jails will cease to be places of detention for long term prisoners? On this point Mr. Alexander Johnson, then General Secretary of the National Conference of Charities and Correction, expressed himself as follows at the Albany Prison Congress, in 1906:

"Many county jails are a blot on civilization. Should this be the case when we seek the reformation of the prisoner? Reform has begun at the top of the prison system, but the jails have made little progress upward, and a great number of them deserve to be called 'schools of vice.' What is the remedy? The physical condition of the county jail must be improved. Each prisoner should be separately confined. The fundamental error is that the jails are used for two dissimilar purposes—for men awaiting trial, and for men who are sentenced. The two do not belong together. I have seen these two classes together in the same cell and treated perfectly alike. When a man has been convicted he no longer belongs to the county, but to the State, and should be sent to a State institution. Then the jail would remain only as a place of detention for those awaiting trial. But why the State? Because the county would hardly be justified in going to the expense of supporting a real workhouse.

"Another reform imperatively needed is speedier trials. It is infamous to hold a man in jail for months awaiting trial. I hope the time will come when the question will be, What kind of a man is this, that we may fit him for society? When we make our prisons hospitals for the moral reformation of men, we will realize that the county jail is the place in which to begin."

The methods advocated in this paper are not the idle fancies of the writer. They have already been tried in other States, and have not been found wanting. Let us profit by their experience.

THE INDETERMINATE SENTENCE, THE PAROLE, AND THE NEW CRIMINOLOGY.

AN ADDRESS BY FREDERICK HOWARD WINES, BEFORE THE
CHAMBER OF COMMERCE, SPRINGFIELD, ILL.,
MARCH 2, 1910.

Criminology is the science and art of dealing with crime and criminals. The new criminology is the natural and inevitable reaction against the old, against the penal codes and penal establishments which it is its aim to replace by others more in harmony with modern intelligence and civilization.

The indeterminate sentence and the parole, or conditional liberation, though separable in thought and in law, are vitally related to each other as component parts of an advanced prison system; the attempt to sever them from each other would resemble the rejected proposal to cut the bond that united the Siamese twins, lest it should prove fatal to one or both. The indeterminate sentence is the central feature of the new criminology.

As an advocate of the new criminology, I shall endeavor to demonstrate that the abandonment, in Illinois, of the indeterminate sentence, which would necessarily follow a successful attack upon the parole law, would be a retrograde step in the onward march of science and of religion.

It is now very nearly half a century since my father, the acknowledged leader of prison reform throughout the world, the founder of the national prison association and of the international penitentiary congress, awakened my interest in the prison question. When I consider the state of American prisons then and the advance that has been made since, I am moved to exclaim, with Hamlet, "Look here, upon this picture, and on this;" or, in the words of the first telegram sent over the line between Baltimore and Washington, "What hath God wrought."

EVILS OF THE OLD SYSTEM.

There were at that time three great wrongs that loudly called for redress; political control of prisons, contract labor in prisons, and the undue frequency and severity of disciplinary punishments. The profits of the system went to the contractor and the political leader; the convict was its helpless victim.

On paper, in the statute book, and possibly even in the written constitution, the principle was proclaimed, that one at least of the ends of imprisonment was the reformation of the prisoner. But among the wardens there were few who believed in the possibility of his reclamation; and they were hampered by the system, which was more powerful than they. Three things were demanded of a warden by public sentiment; that he should hold his prisoners, and not allow them to escape; that he should so conduct the affairs of the prison as to render it self-supporting if possible; and that he should make life as unpleasant for convicted felons as possible, since the spectacle of their suffering might deter others from the commission of crime. The pecuniary interests of the State and of the contractor were of course opposing interests, so that there were not many prisons which were self-sustaining. On the other hand many prison contractors amassed fortunes, and they usually contributed freely to the campaign expenses of the parties to which they belonged.

Convict labor is unwilling labor. In order to render it profitable, coercion in some form is indispensable. The system seemed to justify and demand the application of brute force, and it was sometimes applied in forms which recall to mind the tortures of the Spanish Inquisition.

It need not be argued at length that the old system received no support from the accepted teachings of the Christian religion, with its doctrines of repentance, the forgiveness of sins, regeneration or the new birth, and its denial of the rightfulness of revenge. It was equally inconsistent with the fundamental principles of economics, and of sound psychology. Its brutality was shocking to every humane instinct. It was tolerated because it was not known and understood. It could not survive exposure to the light.

COMMUTATION OF SENTENCES.

At last it dawned upon the consciousness, even of the men by whom the system was administered, that human conduct is regulated by two opposite motives, of which one, namely, fear, is brutalizing and degrading, but the influence of hope is on the contrary inspiring and uplifting. It was decided to try the effect of rewards instead of punishments as an inducement to industry and obedience. Two forms of reward suggested themselves. The first of these was the grant to the prisoner himself of a share in his earnings; the second,

the promise of some abridgment of his term of incarceration. The latter took originally the form of commutation of sentence, on a fixed scale, regulated by law. The immediate influence of this innovation was to render the administration of discipline far more easy, and its former harshness was greatly ameliorated. Commutation of sentence as a legal right had a tendency to awaken some degree of self-respect in the prisoner's mind, whereas commutation, as a favor, and still more a pardon given as an act of arbitrary grace, exerts a demoralizing influence, which extends to the entire prison population. But commutation implies absolute discharge; and in this particular it differs from conditional release or the parole, under which the convict is still in legal custody, though at large, and is liable at any time to be re-arrested and imprisoned, in case he violates the conditions attached to his parole.

These commutation acts, however, and the experience had of their beneficial tendency, did much to prepare the way for the ultimate acceptance of the principle of the indeterminate sentence.

THE PAROLE.

Historically, the parole preceded the indeterminate sentence. When a great French judge, Bonneville de Marsangy, in an address delivered before the tribunal of Rheims, in 1846, advocated what he called "provisional" liberation, his theme had the charm of novelty, it is true, but even then he was able to point by way of illustration to the action of certain French criminal courts, notably those of Paris, where the conditional liberation of juvenile offenders was not uncommon. This may serve as a reminder that from the first institution of reform schools and houses of refuge in this country, their inmates have been released conditionally, the leave of absence granted them terminating only with their minority. Their relation to the government has always been that of guardian and ward; the State stands to them *in loco parentis*, and their status as wards of the State naturally lasts until they become of age. The prevalent practice with regard to juvenile delinquents was another factor in overcoming the prejudice against the indeterminate sentence, in advance of practical trial and experience.

All the old codes are founded on the principle of retributive justice. They have in mind not the future of the criminal, but his criminal act, a thing of the past. The past is irrevocable; the future is on the knees of the gods. These codes

have been adjusted to the act, not to the actor. Their motive has been to make the punishment fit the crime, to measure the guilt of the offender and the degree of his merited suffering, and to establish an equilibrium or balance between the two. There is not a code in Christendom which has succeeded in this attempt, and there never will be one, because the problem of equalization of penalty and guilt is in fact insoluble by any but infinite intelligence. Who but the Almighty can measure guilt? Who but he can measure suffering? How can an equation be formulated between two unknown quantities? Moreover, the effort is essentially immoral, since vengeance belongs to God, and he has not delegated to mortal hands, not even to church or State, the right to usurp his function of retribution. All thoughtful and right-minded men must see, upon reflection, that this is true. If so, all criminal codes have been founded upon an unsound basis, and the time has arrived for building anew upon a more stable foundation.

CRIMINALITY AND INSANITY.

What shall it be? Suppose that we substitute for the word crime the word criminal, and for punishment treatment, so that the phrase will read: "The purpose of criminal law is to insure the proper treatment of the criminal." In his treatment we seek his good and that of the community. Why not? The lunatic, if dangerous to himself or others, is separated from society, that he may receive appropriate treatment, with a view to his restoration. If it is found impossible to restore him to mental health, and it is deemed unsafe to allow him to go at large, he is confined in an asylum, but no one regards such confinement as punishment. If the lunatic is given his liberty as soon as he is cured of his insanity, why not set the criminal free also, as soon as he is cured of his criminality? If the uncured and dangerous lunatic is detained, in the public interest, why release the incorrigible and dangerous malefactor? The two cases are strikingly analogous, to say the least. The motive in either is identical, namely: The desire to protect human society, which, of course, is most effectually protected by the removal of the source of danger through the recovery of the patient or the offender, as the case may be. His permanent detention is merely an undesirable alternative.

But what if the hope of reformation of the criminal is a chimera? Unquestionably some criminals are reclaimable and others not. The same is true of the insane. But our insane

hospitals are established and managed in hope, not in despair. They afford the opportunity for recovery to all alike. If they did not offer it to any, what would be said of them? What ought to be said of a prison in which, because all prisoners cannot be reformed, no attempt is made to reform such as are in fact amenable to an enlightened reformatory discipline? The failure on the part of government to provide such discipline and insist upon its enforcement is a governmental crime.

BENEFITS OF INDETERMINATE SENTENCE.

There is not, and in the nature of things there cannot be, any aid to a truly reformatory discipline like that afforded by the indeterminate sentence. Every prison official can testify to the dissatisfaction and unrest caused by the palpable inequality of sentences; an inequality which neither the legislature nor the courts can avoid or correct. The only equal sentence is the indeterminate sentence, with an identical maximum for all who violate a given section of the code, coupled with identical conditions by which to reduce it to the minimum prescribed by law. Its imposition removes all ground for complaint on this score. It also puts an end to the fallacious hope of an unconditional pardon. The prisoner is given to understand that the date of his release on parole depends entirely upon himself. The authorities desire his release and will help him to earn it; they are not his enemies, but his friends. This disarms him of his hostility to them. He is in a favorable state of mind to receive treatment, and is disposed to yield obedience to them, if they keep their promise to him. This leads to coöperation in the effort made for his restoration, without which a cure cannot be effected. The hope of an early release sustains him under the depressing influence of prison life and stimulates him to exert himself to avoid losing whatever he has gained by diligence and good conduct. He is aided to form habits of industry and obedience, which tend to become fixed. He is trained and transformed.

Under the indeterminate sentence the prison itself undergoes a gradual process of transformation. The moment that reformation rather than punishment becomes the watchword of the administration, a new spirit takes possession of it. The governor chooses better and abler men to govern it—men imbued with reformatory ideas and qualified to exert a reformatory influence; men of higher education, purer moral character, broader culture, loftier aims in life, greater devotion to their

work. These wardens of the new school grow stronger with the passing years; their habit of opposition to everything that is low or crooked or mean or vile lifts them to higher and still higher levels. Failure to show reformatory results means failure in their chosen profession. They have a new responsibility, and they rise to meet it. They are open to every suggestion that can be of service to them in the accomplishment of their difficult task, a task from which an angel might shrink, and in which an angel might rejoice.

EFFECT OF PAROLE ON PAROLED PRISONERS.

Nor must we fail to take account of the effect of parole on the discharged prisoner. Under the old system, the gate of the prison shutting him out of the prison exerted a depressing effect upon his mind comparable only to that of the same gate, months or years before, shutting him in. Now, he leaves the prison with a new hope. He goes to a home prepared to receive and welcome him. He has money in his pocket and the assurance of an opportunity to earn an honest living. During the time of his probation he is watched, encouraged, warned, steadied by the consciousness that failure on his part to make good will render him liable to re-arrest and re-imprisonment. His chances in life are a hundredfold better than under a definite sentence and an absolute discharge.

THE OLD SYSTEM DOOMED.

Just in proportion as the new criminology comes to be understood and practised, the evils which characterized the old system pass away: the subordination of the true aim of the prison to the exigencies of partisan politics, involving the appointment of incompetent or dishonest wardens and subordinate officials, and insecurity in the tenure of their positions, involving frequent detrimental changes in the personnel of the prison staff; the substitution of sordid monetary standards of efficiency in prison administration for such as are both scientific and philanthropic and tend to reduce the volume of crime in the community; and of the brutality which is the accompaniment and outgrowth of this subordination and substitution.

The devil always squeals when he is hit. Nothing hurts him so much as to see a man snatched from his grasp, in whose quivering flesh he had buried his hooks. Accordingly, he has exhausted every resource at his command in the endeavor to

arrest the progress of prison reform. He ridicules it, he denounces its advocates as fools and fanatics, he fights it in the legislatures and in the courts.

But he howls and raves in vain. The courts are against him. In every State where the constitutionality of the indeterminate sentence has been judicially contested, they have pronounced in its favor. Our own Supreme Court has twice proclaimed its adhesion to it in principle.

LAPSES IN PAROLED CONVICTS INFREQUENT.

That it has been imperfectly administered must be conceded to its enemies. It is not yet fully understood in its spirit and in its aims. Some of the officials entrusted with its administration are unfitted for the task; they are incapable of exerting a reformatory influence, or their hearts are not in their work, or they are lax in their methods, or they fail to apply the necessary tests of progress on the part of the prisoner toward the goal of reformation, or they make mistakes in their diagnosis of his moral state, or they allow themselves to be influenced by considerations foreign to the intention of the law, or they commit him to the hands of persons whose qualifications for the oversight of a paroled prisoner are not what they should be. Many prisoners on parole have, no doubt, relapsed into crime. Some have been accorded a conditional release, who have never had any intention of abandoning a criminal career.

But how many, on the other hand, have been saved from continuance in a life of crime? We hear nothing about them, while our failures are heralded to the world by the press, and attention drawn to them by "scare" headlines in the newspapers. The men who have resisted successfully all efforts for their reclamation would not have been less dangerous to social order and security, had they been discharged under a definite sentence; and there would have been many more of them. As a matter of statistical fact, the average term of detention of bad and dangerous men is longer under the indeterminate than under the definite sentence, so that society is better protected under the new system than it was under the old; and those whose conduct shows a less degree of moral turpitude are sooner restored to citizenship and the ranks of productive, self-supporting wage-earners. A judge who has been for twenty-four years upon the bench of the Circuit Court of Illinois declares that, since the passage of the indeterminate

sentence act of 1897, he has had occasion to sentence but four men a second time for any crime, whereas in his earlier experience he re-sentenced not less than one hundred, and some of them three or four times. In four years' time in the office of State's attorney of Sangamon County, Mr. Hatch, a member of this club, whom you all know and highly esteem, knows of the return of but two to the penitentiary of this State for violation of the conditions of their parole.

No, gentlemen, it is only by reason of ignorance, prejudice, or selfish interest, that this law is opposed, and attempts made to repeal it, or so to amend it as to destroy its efficiency for good. Should any such effort prove successful, but it will not, the hand upon the dial-plate of the clock which marks the advance in civilization would move backward. We might have cause to apprehend the return of the night of the dark ages, a return to the lash, the dungeon, the ball and chain, the rack, the thumbscrew, and all the hideous paraphernalia of an age in which tyrants sought by violence to stifle the yearnings of the human race for freedom and equal rights.—*Illinois State Register, March 3, 1910.*

BERRIMA GAOL.

They are learning some things in Australia. This celebrated prison has been closed, as the present humanitarian measures of prison discipline, adopted in some parts of Australia, have put Berrima out of commission.

At one time it was among the principal penal establishments, and was primarily employed for the punitive treatment of refractory and turbulent prisoners. To be liable to be sent to Berrima for "coercion" was a terrifying idea, and the methods employed—only a few years ago—were very severe. The principle measures of "coercion," apart from flogging as a last resource, consisted of solitary confinement, dark cells, and various forms of ironing. All of these things have been abolished, and one result has been that outbreaks and organized disturbances have *entirely ceased*, and serious misconduct has become a thing of the past. At no time has the internal discipline of the various gaols been of a higher standard than at present. The horrors of Berrima now belong to history, and the results of the new system clearly show that kindness and reasonable industrial employment have been far more efficient to bring about reformation than the coercive methods of a system soon to become obsolete in Australia.

THE SEATTLE PRISON CONGRESS.

ISABEL C. BARROWS.

The annual meeting of the American Prison Association took place in Seattle, Washington, August 14-19. The president, a capital presiding officer, was J. T. Gilmour, head of the Toronto, Canada, prison. The official register showed more than two hundred and sixty in attendance, from thirty-one States, besides representatives from Canada, Cuba and Hawaii. Fifty-seven names of women were on the list, many of them persons occupying official positions. Seventeen sheriffs were among those in attendance, a class not often seen at prison meetings. Of course there were prison doctors and chaplains, many of them, and at least forty-two heads of prison and reformatories, besides directors, inspectors and managers. In addition to these practical persons there was the usual sprinkling of judges, lawyers, college professors and men interested in the science of penology and the improvement of the laws pertaining to the treatment of criminals and the prevention of crime.

In spite of the counter attractions of the beautiful fair grounds and the interesting city there was an excellent audience three times a day, which is strenuous work for any but the enthusiastic. It was not strange that some few might have been seen wandering among the exquisite flowers that make the charming setting of the various buildings of the fair, or studying the collections from far away Alaska, the Philippines and Hawaii. Indeed it was not necessary to go so far from the meetings to find things of interest and one group of ought-to-have-been listeners, to my certain knowledge, were late one day from having so long watched the magical way Seattle and Tacoma have of grading their streets, by powerful hydraulic assistance. Giant streams of water break down the hills, and the soil is carried in huge pipes and deposited just where it is wanted to make new land, while the water seeps off into the bay.

Two afternoons were given up to serious frivolity, a trip across the bay to "watch Tacoma grow" and test its claws; and one to visit the exposition as guests of the managers, with a dinner to the congress followed by the closing session on Thursday night, with the usual words of gratitude and appreciation. Next year the American Prison Association, A. W. Butler, president, meets with the International Prison Congress in Washington, D. C.

Lack of space prevents more than an allusion to the opening exercises, with welcomes from the Governor of Washington and the Mayor of Seattle; the acknowledgment by Mr. Pettigrove of Boston; the brief, manly address of President Gilmour, calling special attention to the value of personality in dealing with prisoners and better care of the young to prevent crime; the prison congress sermon by Dr. Matthews; and the winding up speeches on Thursday night. There is not even room to give a full list of the men and women—Mrs. J. Ellen Foster, special agent of the Depart-

ment of Justice among the latter—who took part in the sessions. Those who desire to know all about the congress should subscribe for the volume of proceedings, through the secretary, J. G. Byers, New York city.

The subjects discussed were the reports of the various standing committees on criminal law reform; on preventive and reformatory work; on prevention and probation; on prison discipline; and on discharged prisoners. The special committee on the International Prison Congress also reported through the chairman appointed last year, Dr. Charles Richmond Henderson, who now leaves the committee, having been appointed by President Taft commissioner for the United States in the place of S. J. Barrows, which will make Professor Henderson president of the coming prison congress in October, 1910, in Washington.

The chaplains had their own meetings, as did the physicians, open to the public and dealing with such subjects as tuberculosis, the mental and physical characteristics of criminals, etc.

The current of the congress ran smoothly most of the time, though there were some eddies and a few places where there was more or less rushing of water over stones, especially when the noisy newspaper stream emptied its flood into the more peaceful channels of the congress. The first whirlpool of this kind was when a dignified scientific paper entitled *The Indiana Plan* was presented. It was written by Dr. H. C. Sharp, formerly of the Indiana Reformatory. It described in carefully chosen words the methods of dealing with habitual criminals and other undesirable persons who have fallen into the hands of the State, in such a way that they can never again reproduce their kind. This was not a purely speculative paper, which then might have relegated it to a purely medical assembly, but it was a report of the successful application of the methods adopted in hundreds of cases. As men and women are alike interested in the subject of a pure birth rate, and as both men and women are subjected to the treatment, it was evidently eminently proper that the sober-minded members of the congress should deal with this disagreeable but necessary topic. Four hundred and twenty-one such operations have been made with great success, so it is no longer an experiment and in Indiana it is sanctioned by law. There were, however, a few persons who objected not only to public discussion of the subject, but even more violently to this method of dealing with humanity.

The first to spring to his feet to cut off discussion was Fred. H. Mills of New York, who thought the whole thing an "outrage." He was quite willing to trust nature to look after the reproduction of the race. His super-sensitiveness, however, was suddenly overwhelmed by facts and figures. He had moved that discussion be suppressed and that there should be no attempt to "usurp the prerogative of the Almighty," but President Gilmour ruled that while one out of every 192 persons in England was a charge on the public, it was necessary to discuss means of preventing such a great waste of humanity. Several ladies spoke warmly in favor of the Indiana idea, as did Mr. Longfitt of Pennsylvania, who said that that State was now caring for 150 feeble-minded descendants of one family.

Miss Krueger of the Humane Society of Seattle, gave some startling facts showing the need of preventing the birth of children to the most depraved men and women. The person who most vehemently sided with Mr. Mills was Warden Hellstrom of North Dakota, who seemed, however, to forget that the law is meant to deal only with confirmed and habitual criminals and with persons with several generations of criminals behind them, when he cried: "Are you prepared to have your own offspring treated as this paper suggests? Do you pretend to set yourselves up as greater than the Almighty power that put us on earth? We can stand a whole lot of reforming ourselves before it is necessary to perform operations to prevent men and women from coming into existence. This doctrine is damnable, dangerous, inhuman and unconstitutional!"

Upon which delegates from Connecticut and California quietly stated that those States have likewise adopted the Indiana idea. So the subject was threshed out and the great preponderance of favor was with Dr. Sharp and his paper.

Another ripple in the congress was caused by a newspaper interview which Mr. Mills had given to an enterprising reporter, in which the gentleman from New York was represented as having little faith in the probation methods of Judge Lindsey of Colorado, and of being opposed to education in prison. As Judge Lindsey had spoken two or three times a day for three days, once to an audience of two thousand in the auditorium at the exposition, his methods were well known and his reputation has long been quite secure, but there were a dozen members of the congress ready to join in the fray in his behalf. President Gilmour allowed one speaker, herself dealing with many persons on probation, to stand up for the absent judge. It is about ten years too late to criticise the methods of a man whose works speak for themselves. The item in the count that Mr. Mills disbelieved in education in prison, save to learn to work at the industries of the institution, was ignored by the wardens, for prison schools are found almost everywhere and are considered necessary, not to make clever forgers, but more intelligent mechanics.

Several of those who were to read papers did not appear, but there were brief discussions of some of the subjects thus neglected. Among others there was one on outdoor labor for prisoners. Mr. Laughinghouse, superintendent of the North Carolina State Prison, said that out of their 700 prisoners, 350 were employed in the open on 20,000 acres of land. to the great improvement of their health and morals.

Mr. H. M. Blackstone, superintendent of the Massachusetts State Farm, was asked to speak of their work. He said: "We have three hundred men at work in the open. When an officer goes out with twenty-five men the degree of restraint is at a minimum. He may have a revolver in his pocket, but I will wager that he couldn't hit a barn door a hundred feet away if he tried. The great thing is to select the men carefully so that the warden is sure of his ground."

A warden from Colorado said that they have from forty to sixty men 160 miles away from the prison, building a road. They are not locked up

at night, but sleep in tents, absolutely open. Some of them are working ten miles from any town or village and it would be perfectly easy for them to hide and get away, but there have not been more than fifteen escapes and all but one within a few days were returned to the prison walls. The work they are doing is admirable. The prisoners take pride in it. The effect on discipline has been excellent. The State makes a present of ten days for faithful conduct for every thirty days on the road. That is in addition to the regular good time allowed, but conduct and work must both be up to the mark. When men are paroled from the road work they are less likely to be returned for breaking parole than when allowed out from the prison. Of course that is partly because the men are carefully selected. A law passed last winter gives the same good time to men working at any pursuit outside the walls. Out of 738 men, 300 are now working outside the walls, in gardens, in parks, in beautifying the streets. The men are allowed to have an audience with the warden at certain times and three quarters of them ask for this audience to beg for an opportunity to do work outside. Men with families have the first chance. This out-of-door employment has been found to have excellent results in Colorado.

C. B. Roe, superintendent of the Washington Reformatory, insisted that he could "go Massachusetts one better." During the last year they had had fifty men working outside in the wilderness, clearing the land, stripping the soil to get at the clay below, making bricks and working as farm hands. They are absolutely on trust and they are loyal and faithful. It is true that the men are selected with great care. He said:

I may make mistakes; there may be some escapes, but in more than a year there have been but two escapes from 129 men. Every Sunday morning is given to interviews with the men inside and they come to ask for trust and for employment. It is rare to find a man more than three months in the institution. They are trusted and they prove themselves worthy of trust. Most of these men want a friend, some one to call them by the name their mother or sisters used.

We are building a place to make men, not a prison. I gave directions to my architect to eliminate everything that made it look like a prison. It is an educational and disciplinary institution. The men are taught to go out to become good members of society. None of them wear stripes and they wear their hair as they choose. They are received between the ages of sixteen and thirty.

Mr. Blackstone asked to add to his former statement that more than a hundred of his men were entirely free and under the restraint of no one but themselves.

When Gov. A. W. Gilchrist of Florida was invited to send delegates to the prison congress, he replied that he would come himself, for if there were better methods to be learned, those should be in attendance who would have the power to put them into practice. So he was one of three governors at the meetings. When asked to speak on the conditional release of life prisoners he gave a general report of prison conditions in Florida, of which the following is a summary: The prisoners of Florida are worked outdoors in the turpentine woods, in saw mills and on farms. Most of

them are sub-leased, but the law requires that they shall not work before sunrise nor after sunset, nor more than ten hours a day, nor on Sunday, unless they wish to work overtime for extra pay. They are under the supervision of the commissioner of agriculture. The lessees must furnish comfortable quarters, good clothing, bedding and food, medical attendance and medicine, in addition to \$275 for each prisoner. The requirements are an iron cot, clean mattresses, three sheets, two pillow cases, two pairs of blankets and two night shirts for each prisoner. "And," interpolated the governor, "when you remember that the great majority of convicts are 'niggers' who never heard of a night shirt before, you can see that the State is looking well after her prisoners." A hospital has to be provided by the lessees well equipped with modern improvements. There is a vegetable farm at each of the forty-one camps. The death rate is not high, only 12.60 per thousand with 1,750 prisoners. The work in the open air has proved beneficial. They get three months' good-time out of twelve for good behavior. They are also released on parole and that bestows the right of citizenship.

Florida produces about half the turpentine used in the United States and the demand for labor is great, but the convict labor does not compete with labor outside. Work in phosphate mines is another prison industry.

The governor seemed to think that there have been misrepresentations about the lease system in his State.

We have a heap of trouble with the ministers. Some of them are good, but there are Judas Iscariots among them, and they write up articles and keep us in hot turmoil. Our disposition is to help the prisoners all we can. If these people really wish to help us do that they will come to us directly and any wrongs will be inspected and reported. We have a kindly feeling between the races. There is a peculiar tie between the children of the old slaves and the sons of the old masters and a nigger would always go to the southern white man quicker than he would to any one born north of Mason and Dixon's line, if he wanted a friend.

Governor Gilchrist also paid a tribute to Judge Lindsey and his work: "I am satisfied that our Old Master never made many such men as Judge Lindsey, but I'm mighty sure he made him for the work he is doing." He was also delighted to see that so many women took part in the congress and spoke of an instance in his own part of the country, where women have not yet begun to usurp the places of men in business. "There is a young lady in my town earning her own living and when I heard that she was making about one hundred dollars a month I told her she ought to be married, for she was in a position now to support a family! And as to discussing prison questions I see no reason why women shouldn't do it as well as men, and judging from some I have heard here they do it better."

President Gilmour thanked Governor Gilchrist, saying he had helped illuminate a dark subject!

An hour Tuesday afternoon was devoted to the memory of some of the members of the association who have passed away since the meeting in Richmond last autumn. Mr. Diehl of Pennsylvania recalled the long,

faithful life of Rev. John L. Milligan; Rev. A. M. Fish of New Jersey spoke in grateful memory of Mrs. E. E. Williamson; Rev. Mr. Batt spoke touchingly of Michael Heymann; Warden Wolfer paid a high tribute to Col. C. E. Felton, and Dr. Henderson with glowing words recalled the life and work of S. J. Barrows.

When the subject of aid to discharged prisoners was under discussion President Gilmour said: "Unless I had a very strong and efficient organization for the special purpose of obtaining work for released prisoners I would not have charge of a prison for twenty-four hours. What is the use of working to help a man in prison if he is to be neglected the day he goes out? The crucial day in a prisoner's life is the day he leaves the prison walls. For ten years I have had the assistance of two organizations, one known as the Prisoners' Aid Association, which has a very competent man who gives his undivided time to this work; and the other the Salvation Army which is doing a more potential and influential work than I have words to express. It has a man who gives his entire time to our prison and by my orders he is admitted with the same freedom that I am. He not only visits the men in prison but looks after their families at home. We discharge six hundred men a year and for ten years we have not had a man go out who required work and was willing to accept it but work was provided for him. That is our test. A man may profess to be an angel, but if he declines to take a reasonably fair situation I have little hope for him. All of these associations are so much appreciated that the government votes \$3,000 a year to each. Discharged prisoners go more readily to the Salvation Army than to all the other religious denominations combined."

Amos W. Butler of Indiana in opening the discussion on life prisoners, laid stress on the value of hope in the treatment of all prisoners. There should be no "life" prisoners except such as bring it upon themselves, for the day is coming when all prisoners will work out their own salvation and if the man does not do that, if he shows that he is not fit for release, then he should be retained in the institution indefinitely. He thought the deterrent effect of life imprisonment was over-estimated. Many persons now condemned to life servitude could be released for their own welfare and with safety to society.

A clear statement as to the International Prison Congress was made by Dr. Henderson. It will be held in Washington early in October, 1910. Congress has appropriated \$20,000 towards the expense. It is hoped that it will be possible to take the foreign delegates to visit many penal and reformatory institutions. A voluminous report of such institutions is to be prepared for distribution among the delegates from other lands. The plans for this congress were well in hand before the death of Mr. Barrows. Referring to them Dr. Henderson said: "While I must meet my own responsibilities in my own way, as new problems arise, I must be true to the main lines and principles which were so admirably decided on in the administration of my noble predecessor."

In this connection it may be pertinent to add that the writer, who was

present at the meeting of the prison commission in Paris last July, was glad to see the hearty greeting extended to Dr. Henderson there. The many members from all over Europe recognized in him a worthy successor to the man who for so many years had represented the United States on that commission.

The writer regrets that space does not permit printing the abstracts of the papers. The complete discussion may be obtained in the printed report.—*The Survey*.

FIRST VISITATION BY MEMBERS OF THE PRISON SOCIETY.

BY LEIGH MITCHELL HODGES

Few phases of life in the old city are more uniquely interesting to the present-day observer than that surrounding the establishment and early maintenance of the prisons. And between debtors and real criminals there was plenty doing in this line. Indeed, for many years it was a dull day when the Walnut Street Prison did not furnish some sort of a tidbit for waiting guests.

Amid the many recorded scenes of tragic import in connection with this first jail-house of any considerable size, there stands out one of humorous tinge, which, though it was serious enough to those taking part in it, may well rank as a producer of smiles. This was when the newly formed "Society for Alleviating the Miseries of Public Prisons" made its initial visit to the large gray stone building which stood at the corner of Sixth and Walnut.

OLD CITY PRISON FURNISHED MUCH EXCITEMENT.

I have never been able to fully understand just why it is that the mere thought of so serious a business as the seeking to elevate jail dwellers should bring an upward curve to the lips, but it does. Possibly the sincere but foolishly sentimental methods made use of by certain sweet-voiced and well-meaning old ladies have brought us to such a pass. At any rate, the amusing feature of this particular incident was not due to any such cause, for the man who directed the work of the society was Bishop White, and Dr. Thomas Rogers was its treasurer.

The whole affair was brought about by graft—yes, they had it in those days, gentle reader. There was graft in Babylon!

But the personage who played the part of gaoler about the year 1781 had a strange misconception of his duties, and the institution was managed with both eyes to his own personal profit. As a result, the condition of the place and the prisoners was like unto that of an Augean stable. And in order to keep the public from interfering with his profitable business of selling liquor and cheese and the like to those confined under his care, he took pains to spread reports of the deadly character of many of the inmates, raising the general fear to such a point that timid folks never walked on the prison side of the street.

GAOLER GRAFTED AND SCARED OFF PUBLIC.

It was to ameliorate physical and moral conditions that this society was formed, and no organization ever carried out its purposes more firmly or more fully. But as may be easily imagined, the gent who kept the gaol was heartily opposed to any such reforms, and he did everything he could to prevent their being carried out. With all the art and ingenuity of which he was master, he resisted the advent of such visitors. He even went so far as to predict that their admission was not only "fraught with peril to themselves, but would involve the risk of escape of all the criminals, and the consequent pillage and murder of all the citizens."

But such twaddle as this didn't scare men like Bishop White and Dr. Rogers, and having been ordered by the Sheriff to admit the members of the new society, the gaoler saw it was useless to hold out longer. However, he determined to keep up the fight, and to this end he planned and executed a theatrical sort of ruse with which to intimidate the visitors by impressing upon them the truth of his former assertions.

PRISON SOCIETY BESTED ANGRY KEEPER.

For, after receiving the delegation with every evidence of frigidity, and begging them to leave their watches and all other valuables in the office, which they stoutly declined to do, he cautiously led the way to the prison yard, where a small platform had been put up. In front of this, but at a "safe" distance, the several hundred inmates of the prison were ranged in line, and directly under it, and so pointed as to command a full sweep of the motley line, was a large cannon, beside which stood an orderly with lighted linstock, ready to fire at the first suspicious movement.

But the "vicious" prisoners did not accommodate their keeper by playing their part as he desired, and instead of doing anything to warrant the discharge of the cannon, they most respectfully listened to the discourse of the Bishop, and behaved as well as any ordinary gathering of men.

This was, of course, somewhat embarrassing to the grafter, and for many a month his "battery" was the standing joke of the city.

Still holding out against the invasion of reform—a characteristic of some Philadelphians to this very day and hour—the predatory gaoler did all he could to weaken the work of the society, which went along splendidly, nevertheless, and was soon able to point to results that justified the fondest expectations of its founders.

GREAT REFORMS CAME THROUGH HARD WORK.

In his work as an obstructionist he was ably seconded by certain of the criminals under his care, who were displeased at the turn things had taken, and wanted their liquor and licentious surroundings again. But in time they were quieted, and the work of reform proceeded admirably. After prohibiting the sale of intoxicants, insisting upon the separation of the sexes and seeing that the whole place underwent a thorough cleaning, the society secured the passage of an act providing for the appointment of

prison inspectors, which did away with the sole supervision of the Sheriff, and consequently deprived those under him of the possibilities of graft in case he was the sort to wink.

In fact, the present widespread efforts in the line of prison reform may be credited primarily to this organization, which began its work under such martial circumstances, and in the face of all warnings persisted in its plan for the betterment of the conditions surrounding the criminal class.

—*North American.*

A COURT THAT PREVENTS CRIMINALS.

BY MCKENZIE CLELAND

JUDGE OF THE SHAKESPEARE AVENUE COURT, CHICAGO, AND PRESIDENT
OF THE NATIONAL PROBATION LEAGUE.

While less than five per cent. of the lawbreakers are women, women suffer most from the imprisonment of offenders. The man guilty of a misdemeanor or trivial offense must pay a fine the family can ill afford, or work it out at the lowest possible rate per day in a so-called house of correction. He is fed and clothed at public expense, while the wife and children, the mother and sister, dependent on him, may starve.

The family, not the individual, is the true unit of society; and, if one member of the family violates the law, it is not for the welfare of society that the entire family be ruined. The wife and children of a laboring man on whom a fine is imposed for some small violation of the law suffer oftentimes, as a result, for the necessities of life, even though the offender be not imprisoned. A case in mind, to illustrate my point, is that of Michael Janese, an Italian laborer in Chicago's Ghetto, whose unfortunate predicament recently was chronicled in all the daily papers of the city. Janese was fined \$5 and costs, a total of \$29, for violation of the compulsory education laws. The man has a wife and twelve children. The wife one day was taken sick. There was no one to care for her and her four babes under six years of age. She kept an older girl out of school for a couple of weeks, with the result that the truant officer had her husband haled into court, imprisoned for a couple of hours, and fined. Janese, who earns a wage of \$40 a month, had no money to pay the fine. He was sentenced to the House of Correction to work out \$29 at the rate of fifty cents a day, and was only saved by the generosity of his neighbors. His problem now is how to repay the money advanced by his friends.

While presiding in the Maxwell Street criminal branch of the municipal court of Chicago for more than a year, I made a study of conditions at close range, going into the homes of some of these offenders against the law, taking with me interpreters, for the majority of them were foreigners.

On one occasion, seeing a prisoner locked up in a police station for some petty offense and partaking heartily of hot roast-beef sandwiches, coffee and apple pie, I decided to visit his family and see how it was faring. Taking an officer with me, I ascended a rickety pair of stairs, and found the mother and six children seated at a table before a meal consisting of bread without butter and coffee without sugar or cream. This struck me as being a very poor quality of justice.

Our methods of criminal procedure are, in truth, centuries behind the times. Cases are decided, not upon their intrinsic merits, but by reference to the decisions made back in the Dark Ages. This is one reason why crime is increasing three times as fast as our population. For this, the courts and lawyers must take their share of blame. Our laws have been generally made by lawyers and our court procedure has been regulated by them; and, instead of studying the conditions of the living present, they are largely absorbed in the theories and practices of the dead past.

The rich do not feel the burden and injustice of the present conditions, but they fall heavily upon the shoulders of the poor. Thousands are punished yearly who, if they had money to fight their cases, would go free. Of the seven thousand persons fined in Chicago last year for violation of some one of the innumerable city ordinances, and sent to the House of Correction in default of payment, twenty-seven hundred and fifty were imprisoned from fourteen to twenty-seven days for failure to pay a fine of \$5 or less. And we have supposed that imprisonment for debt was a thing of the past!

One of the faults in our methods lies in the fact that we deal with our criminals as a class and not as individuals. We need a probation system if we are to secure real justice. We put all persons charged with crime through the same process; the young man who, through improper home surroundings or bad associates, makes a mistake, is tried by the same rule and locked up in the same cell with the incorrigible and vicious criminal. Last year more than four thousand persons were in the House of Correction in Chicago who had been there from two to two hundred and ten times. Think of the wisdom of sending a man to jail the two hundred and tenth time when two hundred and nine times have failed to do him any good!

I believe the only way to deal with accidental offenders, whether juvenile or adult, is to place them on probation during good behavior, upon their promise to obey the law and provide for their families—suspending over them meantime the maximum penalty of the law, and requiring them to serve it out on their failure to make good. During a period of thirteen months, I released on these conditions nearly thirteen hundred men and women, of whom more than eleven hundred, or ninety-two per cent., became law abiding and industrious citizens. While on probation they were required to report to me at night sessions of the court held once a fortnight, and about four hundred business men assisted as volunteer parole officers in helping them to reform. This plan received

strong support from the police department, which declared that it had reduced crime in the district fifty per cent.

We must learn to enforce the law constructively rather than destructively, saving men instead of forcing them into a life of crime. There must be radical reforms, however, before this work can be properly carried out; and the first of these, because its results will be most quickly and widely felt, should be the passage of probation laws in every state. Christian people everywhere who feel an interest in their fellow men should see that the necessity of this law is urged upon their legislatures. Women, whose sex suffers most under the present criminal court practices, should add their strong support, their ever-ready sympathy for the distressed and downtrodden, in an effort to regenerate the ignorant, the weak and the unfortunate poor. No more effective work could occupy them.

—*World's Work*, June, 1909.

A VOICE FROM AUSTRALIA.

It may be a surprise to some to learn what advances Australia, to which distant part of the earth England for so many years deported her criminals, has made in penal administration. The report of the Comptroller-General of Prisons for New South Wales has been received, and we call particular attention to the following quotations from this report. The italics are ours.

"Under the operations of the progressive-stage system, every prisoner practically determines his own treatment. Every one has a daily task according to his capacity, and failure to accomplish this entails various dietary and other disadvantages. On the other hand, by industry and good workmanship, the steady worker is not only enabled to acquire a useful occupation, but to earn various privileges, including part remission of sentence, indulgences of different kinds, monetary rewards payable on discharge, and so on. Under these methods there was certainly little idleness in our prisons during 1908. . . . There is *no afflictive or penal labor* in our gaols, and all work is of a productive and remunerative character. It is considered, too, in our system that *work* is largely the foundation upon which reformation is built, and its moral influence, therefore, can not be overestimated. . . .

"The effect upon the conduct of the prisoners of the present methods has been pronounced. It is *many years since dark cells, ironing*, and such punishments, were discarded, and a considerable time has elapsed since any floggings took place. It is *unlikely these forms of punishment will again be required*. Little misconduct occurred during the twelve months, and the offenses were not of a serious nature. Of the total number of prisoners, only twelve out of a thousand (1.2 per cent.) received punishment. In the English gaols, for the year under review, there were thirty cases of corporal punishment, and the convict prisons showed that thirty-nine per cent. of the male prisoners were punished. Our figures were: No corporal punishments, and less than two per cent. of prisoners punished. . . .

RECENT PENAL LEGISLATION IN PENNSYLVANIA.

AN ACT

Providing for the better management of the jails or county prisons in the several counties of this Commonwealth, having over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants each.

Section 1. Be it enacted, &c., That the persons now holding the following offices, and their successors, in all counties in this Commonwealth containing over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants, shall compose a board to be known by the name and style of Inspectors of the Jail, or County Prison; to wit, The judges of the court of quarter sessions, the district attorney, the sheriff, the controller, and the commissioners of each of said counties; in which board, and the officers appointed by it, the safe-keeping, discipline, and employment of prisoners, and the government and management of said institution, shall be exclusively vested; and that the present responsibility of the sheriff of each of said counties, in regard to the safe-keeping of the prisoners, shall cease and determine on their committal to said prison, and such sheriff shall no longer be furnished a residence in said institution.

Section 2. That within thirty days after this act shall become effective, the above-named board shall meet and organize by the election of a president and secretary. A majority of the members of said board shall constitute a quorum for the transaction of business, and all actions of said board must be by the approval of a majority of all of the members of said board. The board shall meet monthly, or oftener if required, and keep regular minufes of their proceedings in a book to be filed with the financial records of each of said counties; and shall make such rules and regulations for the government and management of the prison, and the safe-keeping, discipline, and employment of the prisoners, as may be deemed necessary. The board shall appoint a warden of the prison, who shall reside in the building. The warden, subject to the approval of the board may appoint such deputy or deputies, assistant or assistants, keeper or keepers, as may be required in taking care of the prison; the number and salary of the same to be fixed by said board of inspectors.

Section 3. That all the expenditures required for the support and maintenance of prisoners, the repairs and improvement of said prison, shall be paid from the county treasury, by warrants drawn, in the mode now prescribed by law, on the regular appropriation for the purpose; but no warrant shall be certified by the controller, for any expense connected with the prison, unless on vouchers approved by a majority of said board and endorsed by the president and secretary thereof; and all contracts involving an expenditure of over one hundred dollars shall be publicly advertised in the newspapers authorized to do the county advertising, and be given to the lowest and best bidder.

Section 4. That the warden, at the time of his appointment, shall give bond, with good and sufficient security, to be fixed and approved by the board of inspectors, for the faithful performance of his duty, and may, at any time, be removed by said board for misconduct or inefficiency. All deputies, assistants, or keepers shall also give bond, if required by said board, and may, at any time, be suspended by the warden or removed by the said board.

Section 5. Provided, that in all counties to which this act applies, where the sheriff is now the acting warden or keeper of the county jail or prison, and has his residence therein, this act shall not take effect until the expiration of the term of office of the sheriff, now so acting as jail or prison warden or keeper.

Section 6. This bill shall not be construed to repeal any special laws relating to the management of jails or county prisons in the counties affected by this act.

APPROVED—The 27th day of April, A. D. 1909.

EDWIN S. STUART.

AN ACT

PAROLE—PROBATION—INDETERMINATE SENTENCE.

Section 1. Be it enacted, &c., That whenever any person shall be convicted in any court of this Commonwealth of any crime, except murder, administering poison, kidnapping, incest, sodomy, rape, assault with intent to rape, arson or burglary of an inhabited dwelling-house, and it does not appear to the said court that the defendant has ever before been imprisoned for crime, either in this State or elsewhere (but detention in an institution for juvenile delinquents shall not be considered imprisonment), and where the said court believes that the character of the defendant and the circumstances of the case such that he or she is not likely again to engage in an offensive course of conduct, and that the public good does not demand or require that the defendant should suffer the penalty imposed by law, the said court shall have power to suspend the imposing of the sentence, and place the defendant on probation, on such terms and conditions as it may deem right and proper, said terms and conditions to be duly entered of record as a part of the judgment of the court in such case.

Section 2. In any case where a fine only is imposed, and the defendant might be imprisoned until such fine be paid, the court may direct, as one of the terms of the probation, that such fine shall be paid in certain installments at certain times: Provided, however, That upon payment of the fine, judgment shall be satisfied and probation cease.

Section 3. Whenever or wherever the court may deem it necessary and desirable, it may appoint a discreet person to serve as probation officer, for the performance of such duties as the court shall direct. The salary of such officer shall be determined by the court, and this, together with the necessary expenses incurred while in the actual performance of duty, shall be paid by the county, upon vouchers approved by the court and county commissioners. In no case, however, shall a defendant be committed to the custody of a probation officer of the opposite sex.

Section 4. Whenever a person placed on probation, as aforesaid, shall violate the terms of his or her probation, he or she shall be subject to arrest in the same manner as in the case of an escaped convict; and shall be brought before the court which released him or her on probation, which court may thereupon pronounce upon such defendant such sentence as may be prescribed by law, to begin at such time as the court may direct.

Section 5. Whenever it is the judgment of the court that a person on probation has satisfactorily met the conditions of his or her probation, the court shall discharge such defendant and cause record thereof to be made: Provided, That the length of such period of probation shall not be less than the minimum nor more than the maximum term for which the defendant might have been imprisoned: And provided also, That when no minimum term is fixed by the law, it shall in all such cases be one-fourth of the maximum sentence.

Section 6. Whenever any person, convicted in any court of this Commonwealth of any crime, shall be sentenced to imprisonment in either the Eastern or Western Penitentiary, the court, instead of pronouncing upon such convict a definite or fixed term of imprisonment, shall pronounce upon such convict a sentence of imprisonment for an indefinite

term; stating in such sentence the minimum and maximum limits thereof; fixing as the minimum time of such imprisonment, the term now or hereafter prescribed as the minimum imprisonment for the punishment of such offense; but if there be no minimum time so prescribed, the court shall determine the same, but it shall not exceed one-fourth of the maximum time, and the maximum limit shall be the maximum time now or hereafter prescribed as a penalty for such offense: Provided, however, That when a person shall have twice before been convicted, sentenced, and imprisoned in a penitentiary for a term of not less than one year, for any crime committed in this State, or elsewhere within the limits of the United States, the court shall sentence said person to a maximum of thirty years: And provided further, That no person sentenced for an indeterminate term shall be entitled to any benefits under the act, entitled "An act providing for the commutation of sentences for good behavior of convicts in prisons, penitentiaries, workhouses, and county jails in this State, and regulations governing the same," approved the eleventh day of May, Anno Domini one thousand nine hundred and one.

Section 7. The clerks of the several courts of quarter sessions and oyer and terminer of this Commonwealth shall, not later than the twentieth day of each month, forward to the wardens of the Eastern and Western Penitentiaries a list of all convicts whom the court has committed to those institutions on the indeterminate plan the previous month, stating maximum and minimum sentence. The following information shall also be added: The full name of the convict, together with any alias which such convict may be known to have, the name of the county where the conviction was had, a brief description of the crime of which the convict was convicted, the name of the court in which the conviction was had, the name of the judge before whom the trial of the convict was had, with the date of his commitment, the number of times, if any, that the convict has been in prison, and for what offenses.

Section 8. The Board of Inspectors of the Eastern and Western Penitentiaries shall meet once each month at their respective Penitentiary. At each meeting of the said boards, held as aforesaid, every prisoner confined in such penitentiary upon an indeterminate sentence, whose minimum term of sentence will expire within three months, shall be given an opportunity to appear before such board and apply for his or her release on parole, as hereinafter provided.

Section 9. If it shall appear to either of the said Boards of Inspectors, upon an application by a convict for release on parole, that there is a reasonable probability that such applicant will live and remain at liberty without violating the law, then said board shall recommend to the Governor that such convict be released on parole, subject to such rules and regulations for such convict as the said board may prescribe, until the expiration of the maximum limit of the sentence imposed on such convict; and shall send to the Governor a report of such convict, which report shall contain the following information; namely, The full name of the convict, together with any alias which such convict may be known to have, the name of the county where the conviction was had, a brief description of the crime of which the convict was convicted, the name of the court in which the conviction was had, the name of the judge who sentenced the convict, with the sentence and the date thereof, the date of the reception of the convict at the penitentiary, the commutation recommended, and the date for release from the penitentiary, if allowed.

Section 10. In commuting the sentences of convicts, by releasing them on parole as provided for in this act, the Governor shall annex a condition to the effect, that if any convict so released shall, during the period of parole, be convicted of any crime punishable by imprisonment under the law of this Commonwealth, such convict shall, in addition to the penalty imposed for such crime, committed during the said period, be

compelled to serve, in the penitentiary in which such convict may be committed for such crime, the remainder of the term (without commutation) which such convict would have been compelled to serve but for the commutation of sentence as provided for in this act.

Section 11. In any case where the Board of Prison Inspectors does not recommend the release on parole of a convict, at the termination of the minimum term for which such convict may have been sentenced, such board shall report in writing to the Governor their reasons, in detail, for not having made such recommendation.

Section 12. The said Board of Inspectors shall appoint one or more officers, to be known as parole officers, for their respective penitentiary, who shall carefully look after the welfare of all persons who have been paroled from said penitentiary, and report to the said boards, respectively, upon the conduct of such persons, at such times and in such manner as may be required by said boards: Provided, That no convict shall ever be under the charge, management, or supervision of a probation officer of the opposite sex. The salaries of the said parole officers, together with the expenses actually incurred by them in the discharge of their duties, shall be paid out of the appropriations to the said penitentiary with which they are connected.

Section 13. If it shall appear to either of the Boards of Inspectors, upon an application by a convict released on parole, that there is a reasonable probability that such applicant will live and remain at liberty without violating the law, and that it will be to the advantage of such convict that he or she be released from the terms of his or her parole, it shall be the duty of the said board to recommend to the Governor that such convict be pardoned absolutely.

Section 14. Whenever a person released on parole shall violate the terms of his or her parole, he or she shall be subject to arrest, in the same manner as in the case of an escaped convict. If said prisoner shall have been returned to the penitentiary, he or she shall be given an opportunity to appear before its board; and the said board may after such opportunity has been given, or in case said prisoner has not yet been returned, declare such prisoner delinquent; and he or she shall, whenever arrested and returned, be imprisoned in said penitentiary for a period equal to the unexpired maximum term of such prisoner, unless sooner released on probation or pardoned absolutely.

Section 15. The Governor shall not, except in cases where only the payment of a fine is imposed as the penalty upon conviction, execute any of the rights or powers herein granted unto him, until the Lieutenant Governor, Secretary of the Commonwealth, Attorney General, and the Secretary of Internal Affairs, or any three of them, after full hearing, upon due public notice and in open session, according to such rules as they shall provide, shall have recommended the said commutations of sentences.

Section 16. Nothing in this act shall apply to dependent, neglected, incorrigible, or delinquent children.

Section 17. Authority is hereby conferred upon the Boards of Inspectors of the Eastern and the Western Penitentiary to establish all the rules and regulations necessary to carry this act into effect; and for this purpose, and to secure uniformity, the said boards shall be convened by the Governor, in joint session, within thirty days after this act has received his official approval.

Section 18. This act shall take effect on the thirtieth day of June, Anno Domini nineteen hundred and nine.

Section 19. All acts or parts of acts, general, special or local, inconsistent herewith, be and the same are hereby repealed.

APPROVED—The 10th day of May, A. D. 1909.

EDWIN S. STUART.

CONSTITUTION OF THE PENNSYLVANIA PRISON SOCIETY.

REVISED 1909.

PREAMBLE.

The Constitution of "The Philadelphia Society for Alleviating the Miseries of Public Prisons."

[Adopted May 15, 1787.]

When we consider that the obligations of benevolence, which are founded on the precept and examples of the Author of Christianity, are not cancelled by the follies or crimes of our fellow creatures, and when we reflect upon the miseries which penury, hunger, cold, unnecessary severity, unwholesome apartments, and guilt (the usual attendants of prisons) involve with them, it becomes us to extend our compassion to that part of mankind who are the subjects of those miseries. By the aid of humanity their undue and illegal sufferings may be prevented; the link which should bind the whole family of mankind together, under all circumstances, be preserved unbroken; and such degree and modes of punishment may be discovered and suggested as may, instead of continuing habits of vice, become the means of restoring our fellow creatures to virtue and happiness. From a conviction of the truth and obligations of these principles, the subscribers have associated themselves under the title of "The Philadelphia Society for Alleviating the Miseries of Public Prisons."

[The Society was incorporated by Act of the Legislature of Pennsylvania, April 6, 1833, and by order of the Court of Common Pleas, city and county of Philadelphia (Judge Joseph Allison) on the 27th day of January, 1886, the name of the Society was changed to "The Pennsylvania Prison Society."]

ARTICLE I

NAME

The name of this Society shall be THE PENNSYLVANIA PRISON SOCIETY.

ARTICLE II

OBJECT

The object of the Society shall be "the alleviation of the miseries of public prisons, the improvement of prison discipline and the relief of discharged prisoners," as prescribed by its Charter, and more fully set forth in the Preamble to the original Constitution of the Society, adopted May 15, 1787.

ARTICLE III

HEADQUARTERS

The headquarters of the Society shall be in the City of Philadelphia.

ARTICLE IV

MEMBERSHIP

SECTION 1. Membership in the Society may be either Annual, Life or Honorary, and shall be by election by the Acting Committee under such regulations as it may prescribe.

SEC. 2. Members of the Society other than Life and Honorary shall pay an annual contribution of not less than Two Dollars.

SEC. 3. Any member paying Fifty Dollars at one time, may, at his or her request, be elected to Life Membership in the manner prescribed for the election of other members, and shall thereafter be exempt from the payment of annual dues.

SEC. 4. Individuals who have given valuable service to the Society, or who have distinguished themselves as penologists, may at any meeting of the Acting Committee be elected to Honorary Membership.

ARTICLE V

OFFICERS

SECTION 1. The officers of the Society shall be a President, two Vice-Presidents, a Secretary, a Treasurer and two Counsellors, all of whom shall be elected at the annual meeting, to serve for the term of one year, or until their successors are elected.

SEC. 2. The President, or in his absence one of the Vice-Presidents, or a president pro tempore, shall preside at all meetings of the Society.

SEC. 3. The Secretary shall keep regular minutes of all the meetings, conduct the correspondence of the Society, inform officers, new members and committees of their election or appointment, give notice of all meetings, and be the custodian of the Library and records and of the seal of the Society.

SEC. 4. The Treasurer shall receive all money paid to the Society, and shall make payments only as directed by the Acting Committee. He shall report his receipts and expenditures whenever requested by the Acting Committee, and make a full report for the year at the Annual Meeting of the Society. He shall place all capital, moneys, investments and securities of the Society in the care and custody of such financial institution as the Acting Committee may direct; and he shall make investments only upon the advice and with the consent of the Acting Committee. Unless otherwise directed by the testator, the principal of all bequests shall be securely invested and the income only shall be applied to current expenses.

ARTICLE VI

MEETINGS

SECTION 1. The Society shall meet annually in the month of January at such time and place as may be designated by the Acting Committee.

SEC. 2. Special meetings of the Society may be called by the President whenever he may deem it necessary, or shall be called by him upon the written request of five members. The Secretary shall give at least five days' notice of a special meeting, and shall clearly state its purpose.

SEC. 3. At all meetings of the Society twenty members shall constitute a quorum.

SEC. 4. Elections shall be by ballot and a majority of those present and voting shall be necessary to a choice. If for any cause the Society shall fail to hold an election at its annual meeting, it shall be the duty of the President to call a special meeting within thirty days for the purpose of holding such election.

SEC. 5. At the Annual Meeting, the presiding officer shall appoint a committee of five to nominate to the next Annual Meeting persons for the offices of the Society and for membership in the Acting Committee.

ARTICLE VII

ACTING COMMITTEE

SECTION 1. The executive functions of the Society shall be vested in a committee to be known as THE ACTING COMMITTEE, to consist of the President, Vice-Presidents, Secretary and Treasurer, ex-officio, and forty-five additional members. These additional members shall be elected at

the first Annual Meeting of the Society held after the adoption of this Constitution, fifteen for the term of one year, fifteen for the term of two years, and fifteen for the term of three years; and at every subsequent annual meeting fifteen members shall be elected for the term of three years.

SEC. 2. The Committee shall make by-laws for its own government which must be in conformity with the provisions of this Constitution.

SEC. 3. Vacancies in the Acting Committee shall be filled by the Committee, but persons elected to fill such vacancies must be members of the Society.

SEC. 4. As the members of the Acting Committee are by Act of the Legislature official visitors of the public prisons, it shall be the duty of the Committee to make provision to such extent and under such regulations as circumstances may demand, for the regular visitation of the penal and other correctional institutions of the State by members of the Committee.

ARTICLE VIII

ORDER OF BUSINESS

1. Devotional pause.
2. Reading of the minutes. (a) Society. (b) Acting Committee.
3. Communications.
4. Reports.
5. Unfinished business.
6. New business.
7. Election of Officers and Acting Committee.
8. Adjournment.

ARTICLE IX

AMENDMENTS

SECTION 1. No amendment to this Constitution shall be made unless the same shall have been proposed in writing at a meeting of the Society held not less than three months previous to action on such proposed amendment; and to adopt such amendment three-fourths of the votes of the members present and voting shall be required.

SEC. 2. The Secretary shall give at least five days' notice of meetings at which any proposed amendment is to be voted on, and shall, with the notice, furnish each member with a copy of the proposed amendment indicating how any Article or Section would be affected by the adoption of such an amendment.

HONORARY MEMBERS OF THE PENNSYLVANIA PRISON SOCIETY.

Frederick Howard Wines,.....Springfield, Illinois.
 Maud Ballington Booth,.....New York City.
 Judge Ben B. Lindsey,.....Denver, Colorado.

LIFE MEMBERS.

- | | | |
|-------------------------|-----------------------|--------------------------|
| *Ashmead, Henry B., | *Hall, George W., | *Pennock, George, |
| *Baily, Joel J., | Harrison, Alfred C., | *Perot, Joseph, |
| *Bartol, B. H., | Harrison, Chas. C., | *Potter, Thomas, |
| *Benson, E. N., | *Hockley, Thomas, | *Powers, Thomas H., |
| Bergdoll, Louis, | Ingram, Wm. S., | *Price, Thomas W., |
| *Betts, Richard K., | *Jeanes, Joshua T., | Rhoads, Joseph R., |
| *Bonsall, E. H., | Jenks, John S., | *Roach, Joseph H., |
| *Brooke, F. M., | *Jones, Mary T., | *Saul, Rev. James, |
| *Brown, Alexander, | Jordan, John, Jr., | *Santee, Charles, |
| Brown, T. Wistar, | Justice, W. W., | *Seybert, Henry, |
| Brush, C. H., | *Kinke, J., | *Sharpless, Townsend, |
| Carter, John E., | *Knight, Reeve L., | *Steedman, Rosa, |
| Cattell, H. S., | *Laing, Anna T., | Stephens, Emily J. I., |
| *Childs, George W., | *Laing, Henry M., | *Sulzberger, D., |
| Coles, Miss Mary, | Lea, M. Carey, | *Thomas, Geo. C., |
| *Collins, Alfred M., | *Leaming, J. Fisher, | *Tracey, Charles A., |
| Coxe, Eckley B., Jr., | Leeds, Deborah C., | *Townsend, Henry T., |
| *Downing, Richard H., | Lewis, Mrs. Sarah, | *Wain, L. Morris, |
| Dreer, Ferd. J., | *Lewis, Howard W., | Walk, Jas. W., M. D., |
| *Dreer, Edw. G., | Lewis, F. Mortimer, | Warren, E. B., |
| *Douredore, B. L., | Longstreth, W. W., | Watson, Jas. V., |
| Duhring, H. L., Rev. | Love, Alfred H., | Way, John, |
| Duncan, John A., | Lytle, John J., | *Weightman, William, |
| *Elkinton, Joseph S., | *Maginnis, Edw. I., | *Weston, Harry, |
| Elwyn, Alfred, | *Manderson, James, | Whelen, Mary S., |
| Elwyn, Mrs. Helen M., | Milne, C. J., | *Williams, Henry J., |
| *Fotterall, Stephen G., | *McAlister, Jas. W., | *Williamson, I. V., |
| Frazier, W. W., | Nicholson, Robert P., | *Willits, Jeremiah, |
| Goodwin, M. H., | *Osborne, Hon. F. W., | *Willits, Jeremiah, Jr., |
| Grigg, Mary S., | Patterson, Robert, | Wood, Walter. |

ANNUAL MEMBERS.

- | | | |
|---------------------------|-----------------------------|--------------------------|
| Ashman, Hon. William N., | *Dillingham, John H., | Gormly, Mrs. E. W., |
| Ash, H. St. Clair, M. D., | Davis, Edward T., | Green, Sallie H., |
| Allen, H. Percival, | Detwiler, Isaac L., | Harris, Rev. J. Andrews, |
| Baily, Joshua L., | Detwiler, Walter L., | Hart, William H., Jr., |
| Biddle, Samuel, | D'Inville, Charles E., | Hagert, Edwin. |
| Barnes, Rev. R. Heber, | Dallett, Alfred M., | Hackenbush, William B., |
| Burnham, William, | Denniston, Mrs. E. C., | Harding, Mrs. W. W., |
| Baird, John E., | Daniel, Gustav, | Hallowell, William S., |
| Boies, David, | Emlen, Samuel, | Heller, Clyde A., |
| Booth, Henry D., | Elkinton, Joseph, | Hodges, Miss C. V., |
| Biddle, Catharine C., | Eisenlohr, Otto, | Hayes, J. H. M., |
| Beatty, Robert L., | Engle, Rev. Solomon G., | Haupt, Rev. A. J. D., |
| Benze, Rev. C. Theodore, | Fassitt, Mrs. Horace, | Hastings, Charles P., |
| Buckler, Arthur, | Fernberger, Henry, | Hoffman, Jacob D., |
| Belfield, T. Broom, | Fleisher, B. W., | Hampton, John D., |
| Bright, Mrs. Robert S., | Fleisher, Samuel S., | Hansell, Mrs. George W., |
| Bradford, Robert P. P., | Fullerton, Spencer, | Hilles, Joseph, |
| Barakat, Layyah, | Fricke, Esther, | Holmes, Jesse H., |
| Boggs, S. R., | Franklin, Melvin M., M. D., | Jester, William T. W., |
| Conderman, Ethel, | Garrett, Sylvester, | Kennard, William, |
| Converse, John H., | Graffley, D. W., | Kennedy, Harry, |
| Colton, S. W., Jr., | Garrett, Elizabeth N., | Koelle, William, |
| Colton, Mrs. S. W., Jr., | Grant, Mrs. W. S., Jr., | LeFevre, Charles H., |
| Clark, Miss F., | Gilbert, W. H., | Lawrence, Mrs. P. W., |
| Collins, Henry H., | Grubb, Mrs. C. T., | Latimer, Rebecca P., |
| Clark, E. W., Jr., | Garrigues, Samuel B., | Latimer, George A., Jr., |
| Clemmer, Jonas G., | Gerstley, Mrs. Louis, | Latimer, Rev. Thomas, |
| Cassel, Henry C., | Gerhard, Luther, | Lewis, Theodore, J., |
| Cadbury, Beni., | Galenbeck, Louis, | Lamerdin, Rev. Philip, |
| Conard, C. Wilfred, | Gerhard, Arthur, | Longshore, Frank H., |
| Comfort, Henry W., | Gerhard, Mrs. Arthur, | Liveright, Benjamin K., |

Lovett, Louisa D.,
 Mason, Mrs. M. A.,
 Miller, Isaac P.,
 Morton, Charles M.,
 Martin, Hon. J. Willis,
 Mayer, Mrs. Henry C.,
 Meloney, George R.,
 McHenry, Rev. H. Cresson,
 McDole, Charles,
 Meyer, Rev. H. E.,
 Maier, Paul D. I.,
 Noblit, Joseph C.,
 Ohl, Rev. J. F.,
 Oettinger, Albert,
 Pooley, Frederick J.,
 Platt, Miss L. N.,
 Parker, George F.,

Rosengarten, Joseph G.,
 Reger, George F.,
 Robinson, Anthony W.,
 Reeves, Francis B.,
 Randolph, Mrs. Evan,
 Richlé, Mrs. M. B.,
 Senft, Rev. F. H.,
 Spellissy, P. H.,
 Scattergood, William,
 Stokes, Dr. William C.,
 Schwarz, G. A.,
 Snellenburg, Samuel,
 Shafges, R. C.,
 Stillwell, Mrs. E.,
 Smallzell, John,
 Thomas, Augustus,
 Thomas, Mrs. George C.,

Thomas, Augusta,
 Tomkins, Rev. Floyd W.,
 Tatum, William E.,
 Unger, Mrs. J. F.,
 Uhler, G. H. S.,
 Vaux, George,
 Votaw, Albert H.,
 White, Elias H.,
 Wentz, Catharine A.,
 Whelen, Emily,
 Warren, William C.,
 Wetherell, Mary S.,
 Wetherell, George S.,
 Walton, Harrison,
 Wilbur, Henry W.,
 Wright, A. J.,
 Ziegler, J. W.,

PUBLICATIONS RECEIVED.

Proceedings American Prison Association, held at Richmond, Va., November 14-19, 1908.

Fourteenth Annual Report of New York State Commission of Prisons, 1909.

Laws of the General Assembly of Pennsylvania, passed at the Session of 1909.

Official Report of State Hospital for Insane, Danville, Pa., 1909.

Report of the Board of Charities for State of Connecticut, 1907-08.

Eighth Biennial Report of (Illinois) State Training School for Girls, 1909.

From "Bar Association," San Francisco, an address by Curtis H. Lindley, Esq., "The Sporting Theory of Justice"; an address by Mr. Chief Justice F. H. Norcross, "Criminal Law Reform," 1909.

Fourth Biennial Report of Nebraska State Board of Charities and Corrections for 1908-09.

Fortieth Annual Report (1908) of Board of State Charities and Correction (Rhode Island).

"Tuberculosis in Penal Institutions," by Dr. J. B. Ransom. Government Printing Office, Washington, 1909.

Seventy-Ninth Annual Report of Inspectors of the State Penitentiary for Eastern District of Pennsylvania for year 1908.

Report of New Jersey State Prison for the year 1909.

Sixty-First Annual Report of Managers of (New York) State Agricultural and Industrial School, 1909.

Thirty-First Annual Report of the Connecticut Prison Association for 1908.

Thirty-Fifth Annual Report of Maine Industrial School for Girls, 1909.

Fortieth Annual Report Allegheny County Workhouse, 1909.

Eighth Annual Report Board of Prison Commissioners of Massachusetts for 1908.

Fiftieth Annual Report of Superintendent of Matteawan (New York) State Hospital, 1909.

"The New Humanity," being the Annual Bulletin of Central Howard Association (Chicago), 1909.

Fortieth Annual Report of Prisoners' Aid Association of Maryland, 1909.

Annual Report of the Directors and Warden of the Maryland Penitentiary, 1909.

Report of Philadelphia Juvenile Court and Probation Association, 1909.

Report of Home of Industry for Discharged Prisoners (Philadelphia), 1909.

FOREIGN.

Report of the Commissioners of Prisons (England), 1909.

Report of the Comptroller-General of Prisons, New South Wales, for 1908.

Report of the Howard Association, London, 1909.

Official Report of the Prisons of Sweden for 1907.

Report on the Carceles and the National Penitentiary of Cuba for 1908.

BEQUESTS TO THE SOCIETY.

Estate of Anna Eliza Porter.....	\$500.00
Estate of Marianna Gillingham, direct bequest.....	500.00
(With proportion of interest in the residuary estate.)	

FORM OF BEQUEST OF PERSONAL PROPERTY.

I give and bequeath to "THE PENNSYLVANIA PRISON SOCIETY" the sum of.....Dollars.

FORM OF DEVISE OF REAL ESTATE.

I give and devise to "THE PENNSYLVANIA PRISON SOCIETY" all that certain piece or parcel of land. (Here describe the property.)

SPECIAL NOTICES.

*All correspondence with reference to the work of the Society, or to the JOURNAL OF PRISON DISCIPLINE AND PHILANTHROPY, should be addressed to THE PENNSYLVANIA PRISON SOCIETY, 500 Chestnut St., Philadelphia, Pa.

The National Prison Congress of the United States for the past ten years has designated the fourth Sunday in October, annually, as Prison Sunday. To aid the movement for reformation, some speakers may be supplied from this Society. Apply to chairman of the Committee on Prison Sunday.

FREDERICK J. POOLEY is the General Agent of the Society at the Eastern Penitentiary and at the Philadelphia County Prison. His address is 500 Chestnut St., Philadelphia.

Contributions for the work of the Society may be sent to JOHN WAY, Treasurer, 409 Chestnut St., Philadelphia.

AN ACT

To define the rights and functions of official visitors of jails, penitentiaries, and other penal or reformatory institutions, and providing for their removal.

Section 1. Be it enacted, &c., That any person designated by law to be official visitor of any jail, penitentiary, or other penal or reformatory institution, in this Commonwealth, maintained at the public expense, is hereby authorized and empowered to enter and visit any such jail, penitentiary, or other penal or reformatory institution, on any and every day, including Sundays, between the hours of nine o'clock, ante meridian, and five o'clock, post meridian; and not before nine o'clock, ante meridian, or after five o'clock, post meridian, except with the special permission of the warden, manager, overseer, or superintendent in charge of any such jail, penitentiary, or other penal or reformatory institution.

Section 2. Upon any such visit of any official visitor to any such jail, penitentiary, or other penal or reformatory institution, such visitor shall have the right to interview privately any prisoner or inmate confined in any such jail, penitentiary, or other penal or Reformatory institution, and for that purpose to enter the cell, room, or apartment wherein any such prisoner or inmate shall be confined: Provided, however, That if any warden, manager, overseer, superintendent, or person in charge of such institution at the time of such visit, shall be of the opinion that such entry by the official visitor into the cell, room, or apartment of such prisoner or inmate would be dangerous to the discipline of the institution, then and in that case the said warden, superintendent, overseer, manager, or person in charge, may conduct any prisoner or inmate, with whom such official visitor may desire a private interview, into such other cell, room, or apartment within the institution as he may designate and there permit the private interview between the official visitor and such prisoner or inmate to take place: Provided further, however, That no official visitor shall have the right or power of privately interviewing any such prisoner or inmate except prisoners or inmates of the same sex as such official visitor.

Section 3. All powers, functions, and privileges heretofore belonging to official visitors of jails, penitentiaries, and penal or reformatory institutions, under the common statute laws, are hereby confirmed: Provided, however, That no such official visitor shall have the right or power to give or deliver to any prisoner or inmate of any such jail, penitentiary, or penal or reformatory institution, during such visit, any chattel or object whatsoever, except objects and articles of religious or moral instruction or use.

Section 4. If any such official visitor shall violate any of the prohibitions herein contained, any warden, manager, overseer, or superintendent of any such jail, penitentiary, penal or reformatory institution, may apply to any court of common pleas in the county wherein such institution may be situated, for a rule upon such visitor to show cause why he or she should not be deprived of his or her office; and upon proof to the satisfaction of said court being made, such court shall enter a decree against such official visitor, depriving him or her of all rights, privileges, and functions of official visitor.

APPROVED—The 14th day of May, A. D. 1909.

EDWIN S. STUART.

AN ACT TO INCORPORATE THE

Philadelphia Society for Alleviating the Miseries of Public Prisons.

SECTION I.—*Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That all and every the persons who shall at the time of the passing of this Act be members of the Society called "The Philadelphia Society for Alleviating the Miseries of Public Prisons," shall be and they are hereby created and declared to be one body, politic and corporate, by the name, style and title of "The Philadelphia Society for Alleviating the Miseries of Public Prisons," and by the same name shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded in all courts of record or elsewhere, and to take and receive, hold and enjoy, by purchase, grant, devise, or bequest to them and their successors, lands, tenements, rents, annuities, franchises, hereditaments, goods and chattels of whatsoever nature, kind, or quality soever, real, personal, or mixed, or choses in action, and the same from time to time to sell, grant, devise, alien, or dispose of; *provided* That the clear yearly value or income of the necessary houses, lands, tenements, rents, annuities, and other hereditaments, and real estate of the said corporation, and the interest of money by it lent, shall not exceed the sum of five thousand dollars; and also to make and have a common seal, and the same to break, alter, and renew at pleasure; and also to ordain, establish, and put in execution such by-laws, ordinances, and regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to this Charter or the Constitution and laws of the United States, or of this Commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well-being of the said corporation, and the due management and ordering of the affairs thereof; and provided further, that the objects of the Society shall be confined to the alleviation of the miseries of public prisons, the improvement of prison discipline and relief of discharged prisoners.

SAM'L ANDERSON, *Speaker of House.*

THOS. RINGLAND, *Speaker of Senate.*

Approved the 6th day of April, Anno Domini Eighteen Hundred and Thirty-three.

GEORGE WOLF.

LEGAL CHANGE OF NAME.

The Following Confirms the Action Relative to the Change of the Name of the Prison Society.

Decree:

And now, to wit, this 27th day of January, A. D. 1886, on motion of A. Sidney Biddle, Esq., the Petition and Application for change of name filed by "The Philadelphia Society for Alleviating the Miseries of Public Prisons," having been presented and considered, and it appearing that the order of court heretofore made as to advertisement has been duly complied with and due notice of said application to the Auditor-General of the State of Pennsylvania being shown, it is Ordered, Adjudged, and Decreed, that the name of the said Society shall hereafter be "THE PENNSYLVANIA PRISON SOCIETY," to all intents and purposes as if the same had been the original name of the said Society, and the same name shall be deemed and taken to be a part of the Charter of the said Society upon the recording of the said Application with its indorsements and this Decree in the Office of the Recorder of Deeds of this County, and upon filing with the Auditor-General a Copy of this Decree.

[Signed] JOSEPH ALLISON.

Record:

Recorded in the office for the Recording of Deeds in and for the City and County of Philadelphia, on Charter Book No. 11, page 1064. Witness my hand and seal of Office this 28th day of June, A. D. 1886.

GEO. G. PIERIE, *Recorder of Deeds.*